

miner leadership. Nothing in the fundamental decent principles embodied in that law--a law that attempts to safeguard and protect the liberties of the individual man--justified anyone in staying the hands of government in its glorious, noble attempts to save a civilized world from European dictatorship."

Let me repeat: The Government does not seek the infringement of constitutional or statutory guarantees.

It respectfully submits that in view of the evidence before the District Court at the time of the hearing the arm of that court should be upheld; that its decision that the Government was entitled to relief it sought should be affirmed; and that the judgments of contempt should not be disturbed.

ORIGINAL

61-20

WEEKLY INTELLIGENCE REPORT

Seattle, Washington District

For the Week Ending December 23, 1923

<u>RADICAL ACTIVITIES</u>	<u>PAGE</u>
Workers Party of America	1
Men Refuse Parole	2
Ella Heeves Bloor Speaks	2

<u>JAPANESE ACTIVITIES</u>	
Tells Plan to Exclude Japs	3-4

<u>RUSSIAN ACTIVITIES</u>	
Editorial on "Russia in the Fifth Year"	5

*Supreme Court
not mentioned on
this page.*

Copies to
San Francisco
Los Angeles

R. E. Skelly
Acting Agent in Charge

JAN 21 1924

RECORDED & INDEXED

GENERAL INTELLIGENCE
DIVISION
JAN 3 1924

61-30-161	
U. S. DEPT. OF JUSTICE	
DEC 29 1923 A. M.	
U. S. OFFICE	
HOOVER	FILE

287548
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/10/88 BY SP-1 MacHic

JAPANESE ACTIVITIES

Tells Plan to Exclude Japs

THOMAS N. SWALE, chairman of the Oriental committee of the American Legion in a recent statement here made the following remarks regarding the Legion's plans to carry their Oriental exclusion work to Congress and the State Department at Washington.

"For the reason that we believe the gentleman's agreement with Japan, which is supposed to exclude ineligible aliens, is not operative, we now plan to carry our fight for more specific legislation to Congress. The recent United States Supreme Court decision against alien land leases in this state was a big victory in our fight. But the Japanese ambassador at Washington has announced his intention of taking the matter up with the State Department. To make sure of not losing any ground we have gained, we're going to carry the fight into Congress to see what can be done to make the alien exclusion treaty really operative. For two years we have been publishing government reports showing that in the last ten years the Japanese population in this country has increased 100 per cent."

Attention Mr. Hoover-2-

L.A. File 180/539

Los Angeles: Nov. 25, 1922: Nov. 25, 1922:

JAPANESE SITUATION:

LOS ANGELES DISTRICT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/18/92 BY SP/mae/H/c
287.548 PRESS COMMENT

The following Editorial appeared in the Los Angeles Japanese Daily News for November 14, 15, and 16th, 1922, relative to the decision of the U. S. Supreme Court, entitled "Free White Person":

" The question of granting naturalization to the Japanese has been finally settled after a suspension of 8 years. The result of this case is very disadvantageous to us, yet we must welcome this final decision as it will show us a new way to proceed, ceasing our loitering on the crossroad of naturalization any longer.

" The Japanese may not be regarded as a "free white person" from the literal viewpoint, but when the original spirit of the establishment of this State and the legislation of the naturalization law be mainly considered, those qualified Japanese should be allowed this privilege. Japan grants naturalization to citizens of other countries. Therefore, on this equal basis, the United States may do the same to the Japanese. However, we must accept the interpretation of the present law by the Judges, declaring us to be ineligible.

" There are people who interpret this decision in a political sense, but it is merely a natural result of interpreting the words: "Free White Person" in a narrow sense.

" Our insistence that these words should be taken in a broad sense was bitterly attacked by our opponents, and the Judges of the Supreme Court were inclined toward the other side's

COPIES TO: Wash.-3; San Francisco-1; Seattle-1;
MID-S.F.-1; MID- Honolulu-1;
File-1;

DEC 21 1922

65-290-5
BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
RECEIVED
DEC 21 1922
A. M.
SOUTHERN

POLITICAL:

JAPANESE PRESS COMMENT (Cont.)

opinion. To think that this decision was affected by the political or international situation is a great mistake.

We can no longer look back into the past, thus it behooves us to prepare for the future. We have neither lost nor gained anything by this result, because we have been treated heretofore as ineligible to citizenship by the American authorities. Therefore, there is nothing for which we should be disappointed. However, it is necessary that we should defend our last stronghold with every method against future attack. We hope that this defeat will spur us to settle here for the eternal future. The more bitterly they attempt to exclude us hereafter, the harder we can make up our minds to stay here in America.

The citizenships of our younger generation have become more valuable than ever before, because of the rejection of the right to us.

Ex-Senator Phelan and his people are screaming that the Japanese who have received citizenship by enlisting in the World War should be deprived of their newly acquired privilege, but it goes without saying that those citizenships will never be affected by this decision, because it was bestowed upon the aliens who had served in the American army, and was approved by Congress during the World War.

The meaning of the word "foreigner" is not limited only to the eligible. If these citizenships should also be cancelled, America MUST face the world's blame of her unfaithful deed to those people who had fought to uphold the American Ideals at the risk of their lives. "

POLITICAL:

JAPANESE PRESS COMMENT (Cont.)

Editorials in Los Angeles "Japanese-American", for November 16th, 1922, are as follows:-

" The Supreme Court of the United States of America has decided that the Japanese is not a "free white person".

" It is vividly clear that the Japanese is not of the Caucasian Blood, even without this declaration of the Court. However, this request should not be presented to the Court, but should be brought in the presence of the whole American citizens through their organ, the Congress.

" It is interesting to study the theory that the Japanese people are the descendants of the Greeks or Caucasian race, but even when the Japanese are the outlet of those races, it never adds any value to ourselves. We, Japanese, are proud of our past ancestors as well as our present brethren.

" And, moreover, we can become intimate with other races, calling them our friends or brethren through our warm feeling toward them and the supreme principle of International Brotherhood.

" We are very sorry to hear that the law which was made by the United States' legislative organ does not entitle us to the right of naturalization, but this fact does not hurt the true value of the Japanese people in the slightest way.

" However, we regret for the United States if the case really is that she cannot progress nationally without taking such legislative steps. "

From "THE HOCHI", November 16, 1922:

" By excluding other races through racial prejudices and economical reasons, the United States is contradicting her world-wide proclamation of international brotherhood, equality

POLITICAL:

JAPANESE PRESS COMMENT: (Cont.)

and freedom. She is so absorbed in making political and legal measures for the exclusion of the Japanese that she is neglecting her international relationships. Thus, the American people are leading their Japanese-American relationship to a dangerous gulf. We are, therefore, very worried as to the future of both the United States and Japan.

YOROEZU.

" Although the United States grants the naturalization right to those of the Caucasian and African races only, Japan has provided a law whereby aliens or citizens of other countries may become naturalized Japanese citizens if they so desire. But, we do not desire to have the Japanese people naturalized in other countries, although this right is open to every one. However, it is deplorable that the American people are so greatly affected by racial prejudice.

" We must, therefore, endeavor to realize the principle of HUMAN EQUALITY.

TOMIURI.

" It is an urgent problem for us to consider preparing ourselves to face the Anti-Japanese movement which has been encouraged by the decision of the Supreme Court and threatens to become empowered very soon.

" The Judges of the Supreme Court, who gave the decision rejecting the naturalization right to the Japanese citizens, declared that there is no anti-Japanese sentiment contained in the decision itself, but that it is important that the United States Govt. should take necessary steps to halt the newly started anti-Japanese movement.

TOKYO ASAHI.

" The decision of the United States Supreme Court must not

Nil

POLITICAL:

JAPANESE PRESS COMMENT (Cont.)

be considered closed in regard to the problem of granting naturalization rights to Japanese. Instead, we must find a new way whereby the right of naturalization may be given the Japanese, first: by the revision of the present law or the conclusion of a Japanese-American Treaty of Naturalization."

COMMENTS OF LOCAL JAPANESE PRESS

It is quite natural that the decision of the Supreme Court of the United States in the case of naturalization of the Japanese, might have disappointed them a great deal. But, seemingly, they received it very calmly.

According to the local Japanese press, the decision does not affect them materially, as the United States authority has hitherto been treating them as ineligible to citizenship for many years. They acknowledge that the decision of the court is nothing but an interpretation of the law which exists. They say that it is not politics nor legislation, but they seem to insist that if the law does not recognize the equality of the Japanese with other foreigners, it is fair for the United States to amend the law to entitle them that equality."

JAPANESE VOTERS

The American citizens of Japanese ancestry are exercising their rights and franchises to a greater extent than the Chinese according to statistics on file in the office of RAYMOND C. BROWN, Secretary of Hawaii. Heretofore, the general belief was that Chinese were more conscious of their political privileges than the Japanese, but the cold facts set forth in the statistics conclusively prove the contrary.

ATTENTION: MR. HOOVER--#2

L.A. FILE # 180/539

-THIS CASE ORIGINATED AT

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: LOS ANGELES, Cal.	DATE WHEN MADE: June 30, 1923	PERIOD FOR WHICH MADE: June 30, 1923	REPORT MADE BY: [REDACTED] /MP
TITLE AND CHARACTER OF CASE: JAPANESE SITUATION::: LOS ANGELES DISTRICT..			
FACTS DEVELOPED: POLITICAL: ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED 65-290-74 DATE 10/18/88 BY SPINAC/Hry #287.548 ACTIVITIES, - ANTI-ASIATIC ASSOCIATION.			
<p>The several local improvement associations or other bodies in Los Angeles city and county that are opposing the settlement in their respective communities of Japanese aliens, have been invited to affiliate more closely with the Los Angeles County Anti-Asiatic Association, and that body is prepared to back them in every possible way in their efforts to keep their districts white. This policy was laid down by the directors of the county association at a meeting on Friday, at which time new directors were added to represent the Hollywood Improvement Association and the Bevedere branch of the county association.</p> <p><i>Supreme Court not mentioned on this page.</i></p> <p>All local bodies opposed to the Japanese in their communities will be entitled to representation on the board of director of the central body in the future. The secretary was instructed to so advise these organizations.</p> <p>It was decided to carry on an aggressive campaign against the Japanese whenever they may attempt to establish themselves in any community.</p>			
REFERENCE:	COPIES OF THIS REPORT FURNISHED TO: WASH(3) SAN FCO(1) FILE (1) SEATTLE(1) MID HONOL FILE (1)		

65-290-74

RECORDED

JUL 18 1923

BUREAU OF INVESTIGATION

DEPARTMENT OF JUSTICE

ROUTED TO:

FILE

EDITORIAL COMMENT

L. A. Japanese Daily News, June 14th, 1923.

"THE POINTS OF ARGUMENT"
A Pure Political Theory.

We have received a whole transcript of the arguments that were made before the U. S. Supreme Court by Mr. Marshall, plaintiff, and Mr. Webb, defendant, representing the State of California. The trial was held on the 23rd and 24th days of April, 1923, in connection with the constitutionality of the Alien Land Law of California.

Mr. Webb's argument is especially noticeable as a good lesson toward us, whether reasonable or not.

Mr. Webb, in reply to Chief Justice Taft, said as follows:-

"The Japanese immigrants are as industrious as the Hindu race. Their ability and success, however, constitutes a menace to the welfare and happiness of California, as they do never assimilate with the White People. Wherever they go, the Whites are driven away. It is therefore our right and duty to our descendants to keep our state 'White'.

"Our forefathers fought for the emancipation of the Colored Race, but they are suffering from the result thereof in the Southern states. We have tried and been successful in driving the Chinese out of the State. But our efforts have proved a failure, as the Japanese took their place. The Japanese have brought more menace to California than the Chinese, as they are better educated, more industrious. They have the scientific knowledge and the strong idea of cooperation among their race. They save more money, as they work from morning till night, even on Sundays, with the help of wife and children. They are thrifty and their standard of life is kept low. Economically speaking, they are more aggressive than the Chinese or Negroes. This is the reason why the White people are yielding their seats to the Yellow Race.

"The Japanese people have established the Buddhist temples and Shrines in the Christian country. They send their children, who are American citizens, to the Japanese language school, thus creating a spirit of patriotism toward the Island Empire in the young minds. They will not hesitate to fight against us in time of war.

"Look at the Hawaiian islands. They have been conquered by the Japanese. The same thing will be true with California."

1674
[REDACTED]

JAPANESE SITUATION

6/30/23

POLITICAL

Page 4

future, unless we prevent them at the present time. We therefore believe that it is our right and duty to keep California 'white'."

How many Japanese are residing in the State of California now? Is it a menace to have sixty or seventy thousand people out of three millions? We have, however, to recognize the fact that there are not a few points about which we have to reflect ourselves, and we have to try our best to overcome and improve our short points, in order that we may adapt ourselves better to the country in which we live. At any rate, nobody can deny that Mr. Webb's argument is entirely based on the political rather than legal standpoint.

INSTRUC RECEIVED FROM L.C. WHITE AGENT IN CHARGE.

THIS CASE ORIGINATED AT **LOS ANGELES CALIFORNIA.** JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: Los Angeles Cal.	DATE WHEN MADE: Jan 19, 24	PERIOD FOR WHICH MADE: Week ending Jan 22, 1924	REPORT MADE BY: [REDACTED] b7c
--	--------------------------------------	---	--

TITLE AND CHARACTER OF CASE

10/19/88
JAPANESE SITUATION: LOS ANGELES DISTRICT.

Classified by *SPMackHe*

FACTS DEVELOPED:
Task 287.848

At Los Angeles California:

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 1-28-88 BY SP-6

CONFIDENTIAL

b1 { [REDACTED]

DO NOT WRITE IN THESE SPACES

FILE NO.
65-290-78.

BUREAU OF INVESTIGATION

DEPARTMENT OF JUSTICE

ROUTED TO:

FILE

REFERENCE:

COPIES OF THIS REPORT FURNISHED TO:

Washington 3. San Francisco 1. File

CONFIDENTIAL

GOVERNMENT PRINTING OFFICE

7-1169

January 19, 1924.

(continued)

b1 [REDACTED] (C) [REDACTED] CONFIDENTIAL

.....

A meeting of the District Attorneys of the various California Counties was held at San Francisco January 12th 1924, at which time they conferred with Attorney General Webb of California, relative to the enforcing of the anti-Alien land law, as a result of the upholding of the act by the United States Supreme Court, The various District Attorneys have returned to their respective Counties, and have given out statements, It was stated in these interviews that the aliens would be allowed to harvest the crops now in the ground, that it had been agreed that no concerted action would be taken until after the crops are harvested, then concerted action will be taken by every County in the State and the law will be strictly enforced. both in spirit and letter. Each case will be considered on its merit, the holding or leasing of agricultural land by Japanese and other aliens for citizenship, will not be permitted, either directly or through holding companies, cropping contracts are also illegal, bonus on labor and alien management of ranches will not be permitted.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

b7D
Does not
pertain
to the
Supreme Court

Attention H. L.

HT-1.

File 16599-C.

THIS CASE ORIGINATED AT

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: Seattle, Wash.	DATE WHEN MADE: 12/11/23.	PERIOD FOR WHICH MADE: 12/10/23.	REPORT MADE BY: [REDACTED] b7c
--	-------------------------------------	--	--

TITLE AND CHARACTER OF CASE:

JAPANESE ACTIVITIES -

SEATTLE DISTRICT

FACTS DEVELOPED:

At Seattle, Washington:

Following up the report which Agent made last week in re JAPANESE ACTIVITIES and attaching four issues of both of the Japanese papers, Agent is forwarding today and making part of this report, a couple of interviews, one with [REDACTED] and also an interview from [REDACTED] both of which were taken from the Seattle Daily Star, and will show the sentiment brought out from both sides by the recent decision of the Supreme Court.

Agent will, from time to time, send copies of the two Japanese Newspapers here in Seattle and also any which may appear from the Anti-Jap element.

CONTINUED.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/11/01 BY 287.548

serial 52 and 53
missing when file
was repaired
62-59

65-301-51
RECORDED & INDEXED

DO NOT WRITE IN THESE SPACES

FILE NO. 65-301-51	DEC 22 1923
BUREAU OF INVESTIGATION DEPARTMENT OF JUSTICE	
ROUTED TO: HOOVER	

COPIES OF THIS REPORT FURNISHED TO:
Washington-3; Seattle-2.

THIS CASE ORIGINATED AT

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: SAN FRANCISCO, CAL.	DATE WHEN MADE: JUNE 9th.	PERIOD FOR WHICH MADE: Week ending June 9th, 1923.	REPORT MADE BY: [REDACTED] 6X
---	-------------------------------------	--	---

TITLE AND CHARACTER OF CASE:

- - -GENERAL JAPANESE SITUATION- - -SAN FRANCISCO DISTRICT - - -

FACTS DEVELOPED:

AT SAN FRANCISCO, CALIF.POLITICAL:ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIEDDATE 10/18/88 BY SP7mac/ky
-ATTENTION MR. HOOVER -2- 287,548JAPANESE ADMITTED AT THE PORT OF SAN FRANCISCO
DURING THE MONTH OF MAY, 1923.

Occupation	From Japan		From Hawaii		Total
	Male	Female	Male	Female	
Wives, no occupation		235		1	236
Under 16, no occupation	48	24			72
Others, no occupation	1	4			5
Agent, Passenger	1				1
Architect	1				1
Bankers	4				4
Barber	1				1
Blacksmith	1				1
Chauffeur	1				1
Clergymen	3				3
Cooks	1				1
Contractors	2				2
Dentist	1				1
Dyer	1				1
Editors	3				3
	69	254	1		334

Supreme
Court is not
mentioned
on this
page

DO NOT WRITE IN THESE SPACES

ON 6/18/23 2224

JUN 21 1923

FILE NO. 65-302-190	RECORDED
BUREAU OF INVESTIGATION	JUN 15 1923
DEPARTMENT OF JUSTICE	
ROUTED TO:	

REFERENCE:

HS

COPIES OF THIS REPORT FURNISHED TO:

WASH. 8. FILE 1. LOS ANGELES 1. SEATTLE 1. MID-SF 1.
MID-HONOLULU 1.

6/9/23.

PAGE 8.

GENERAL JAPANESE SITUATION- -

P O L I T I C A L:

locality and reaching a logical conclusion we should then frame our policy accordingly.

Moreover, the situation in California is very much more critical than in Washington. If the bill for regulating Japanese language schools which has been passed by the Legislature is by the Governor and enforced no new pupils can be entered in language schools. Only those now enrolled can be educated (in those schools). Hence it will be necessary to meet the situation by some temporary emergency plan. Such emergency plan might be

1. The establishment of Japanese language courses in the public schools.
2. Teaching their own children at home by mothers, fathers or elder brothers, with which no one has a right to interfere.
3. Sending the children to grandparents or relatives in Japan to be placed in Japanese schools.

Does not pertain to the Supreme Court

If they are sent to Japan they will make astonishing progress in learning Japanese because of the exclusively Japanese environment. They will learn as much in a year as they would learn in eight years in America. Hence if they are given a year at school in Japan after completing the period of compulsory education in America they will have a fine knowledge of Japanese, so that they should be able to write letters in correct Japanese. This probably will be economically impossible to some and for such the second method is best. Meanwhile the situation naturally will change.

(The closing sentence hints at the good time coming, the universal belief of the Japanese that all anti-Japanese laws will be repealed and all barriers to the Yamato-American Empire be swept away- - -fr.)

FEDERAL DECISION HITS CALIFORNIA LAWS:

The Supreme Court decision handed down June 4th, holding invalid numerous state laws prohibiting instruction of pupils

6/9/23.

PAGE 9.

GENERAL JAPANESE SITUATION--

P O L I T I C A L:

FEDERAL DECISION HITS CALIFORNIA LAWS-Contd.

in foreign language seriously endangers various California laws passed at various times for the purpose of curbing Japanese language schools. This decision which invalidates statutes of twenty-one different states, prohibits the use of foreign language, and has been a matter of controversy in the offices of various state officials from the State Attorney General down, and a wire was immediately forwarded to Washington at the request of State Senator Inman author of some of these laws, to ascertain definitely the effect of the ruling on a proposed California law designed to wipe out by 1930 all private schools taught exclusively in Japanese language and ultimately to disseminate Japanese propaganda.

Senator Inman states that he believes that the decision of the Supreme Court does not invalidate Legislature in this State inasmuch as these bills do not prohibit the teaching of Japanese in California but that they do prohibit the conducting of private schools entirely in the Japanese language or any other foreign language, the law evidently being directed primarily against the laws which prohibit teaching of any foreign language.

b7C [REDACTED]
[REDACTED] states that the California statutes do not prohibit foreign language schools but merely provide for regulation and therefore it does not follow that the California State laws will become inoperative.

674
6/9/23.

PAGE 10.

GENERAL JAPANESE SITUATION--

P O L I T I C A L:

FEDERAL DECISION HITS CALIFORNIA LAWS- Contd.

He further advises that he will continue to enforce the present California foreign language school law unless advised by the Attorney General that the Supreme Court decision nullifies existing statutes on this question.

Assembly Bill #307 introduced by Assemblyman E. H. Christian of Hayward, California, which was recently signed by Gov. Richardson, forces every Japanese teacher to instruct his charges in American ideals and Governmental principles embodied in the U. S. Constitution, or forfeit his permit to conduct a private language school. This act is intended to counteract the propaganda uses of private present language schools here, where Buddhism and Mikado worship are the principal features taught.

- - - - -

THIS CASE ORIGINATED AT **SAN FRANCISCO, CALIFORNIA**. JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: SAN FRANCISCO, CAL.	DATE WHEN MADE: JUNE 23RD	PERIOD FOR WHICH MADE: WEEK ENDING JUNE 23, 1923	REPORT MADE BY: [REDACTED] 67C
---	-------------------------------------	--	--

TITLE AND CHARACTER OF CASE:

---GENERAL JAPANESE SITUATION---

---SAN FRANCISCO DISTRICT---
ALL INFORMATION CONTAINED

FACTS DEVELOPED:

AT SAN FRANCISCO, CALIF.

HEREIN IS UNCLASSIFIED
DATE **10/2/84** BY **107M/107**
10/2/84

- ATTENTION MR. HOOVER - 2 -

P O L I T I C A L :

"JAPANESE DELEGATES TO WORLD

EDUCATIONAL CONFERENCE"

THE NATIONAL EDUCATIONAL ASSOCIATION convention which is to meet in San Francisco and Oakland, California, from June 28th to July 7th, 1923, has just published its list of delegates covering fifty or more foreign countries who have signified their intention of sending representatives to the conference.

The following is a partial list of those coming from

JAPAN:

Supreme Court not mentioned on this page

- * **SHIRO TAKEMAYO**, Rocky Ford, Colo.
- * **ISAMU KAWAKAMI**, Secretary National Y.M.C.A. Tokyo, Japan.
- * **MR. M. ANESAKI**, Tokyo Imperial University, Tokyo, Japan.
- * **WILEMET BOWLES**, Tokyo, Japan.
- * **ROBERT UCHIDA**, Minister of Foreign Affairs, Tokyo, Japan.
- * **MR. K. KAMADA**, Minister of Education, Tokyo, Japan.
- * **MR. M. SAWAYANAGI**, Imperial Education Society, Tokyo, Japan.

DO NOT WRITE IN THESE SPACES

"JAPANESE MAGAZINE FOR JULY 1923"

The T. K. L. "JAPAN"

FILE NO. 65-302-93	RECORDED
BUREAU OF INVESTIGATION	
DEPARTMENT OF JUSTICE	
MAILED TO	

REFERENCE:

COPIES OF THIS REPORT FURNISHED TO:

MOG. WASHINGTON 3. FILE 1. L. A. 1. SEATTLE 1. MID-SF-1. MID-HONOLULU

699-7-2-23 wu

GENERAL JAPANESE SITUATION.POLITICAL:"ANTI-JAPANESE BILL SIGNED BY GOVERNOR"

GOVERNOR RICHARDSON on June 20th, 1923, signed Assembly Bill No. 159, known as the WOODBRIDGE BILL, designed to prevent Oriental occupancy of California agricultural land through so-called "cropping contracts", in evasion of the anti-alien land law.

This bill amends the original anti-alien land law closing loop-poles under which the Japanese operated as formerly under the guise of cropping contracts, and prohibits a subterfuge practiced by the Nipponese since 1921 in securing footholds on rich agricultural property.

Hundreds of Japanese are now occupying and cultivating numerous ranches throughout the San Joaquin and Sacramento Valleys, who will be forced to discontinue farming for themselves if this act is enforced.

At the same time, the Governor vetoed Senator Imman's bill, Senate Bill #7, known as the Foreign Language School Bill. This bill abolished by 1930 all private schools taught entirely in Japanese or any other foreign language, and was vetoed by the governor on the grounds of unconstitutionality. This resulted from the recent decision of the U. S. Supreme Court which held invalid any state law prohibiting the teaching of foreign languages in private or public educational institutions.

Attorney General U. S. Webb has given the Governor an opinion that the Imman bill under this ruling, would prohibit language

GENERAL JAPANESE SITUATION.P O L I T I C A L:"ANTI-JAPANESE BILL SIGNED BY GOVERNOR."
(CONTINUED)

instruction in all California private schools and colleges.

"VETERANS OF FOREIGN WARS URGE ALIEN CONTROL"

The California and Nevada Departments of the Veterans of Foreign Wars who assembled in their annual convention in Sacramento on June 21st, 1923, introduced a sweeping resolution by the 1500 delegates demanding that every county, municipal and state officer in California take immediate steps "to enforce all existing laws tending toward exclusion of undesirable Asiatics".

This resolution, introduced by JAMES W. WOOLDRIDGE of Sacramento, also called for the strengthening of the national immigration laws to prevent further encroachment of unassimilable aliens on American soil.

Governor Richardson was highly commended for the signing of the Anti-Cropping Contract Bill, by the organization who stated that such steps were absolutely necessary to prevent the Japanese from absorbing and controlling the best agricultural districts in California.

Part of the above mentioned resolution reads as follows:

"Whereas, the Legislature of the State of California, with the approval of the governor, recently enacted a statute prohibiting the "cropping contract", a subterfuge whereby Japanese and other unassimilable foreigners

GENERAL JAPANESE SITUATION.P O L I T I C A L:"VETERANS OF FOREIGN WARS URGE ALIEN CONTROL."

have gained a foothold on large quantities of the richest agricultural lands in the State and in direct evasion of the Anti-Alien^X Land Law:

And whereas, Japanese interests are even now appealing to the United States Supreme Court to support their program of law violation and Oriental aggression in California and other States of the Pacific Coast:

And whereas, the Veterans of Foreign Wars^X have consistently opposed all efforts of unassimilable Asiatics to obtain control of real property in this and other States of the Pacific coast, feeling that such efforts are in positive contravention to the American principle that the soil of this country must be safeguarded for future generations of the White race:

Now therefore, resolved that this convention representing the Foreign War Veterans of California and Nevada, go on record as urging immediate strengthening of the immigration laws to the end that unassimilable aliens may be prohibited from further encroachment on American soil:

And further resolved that county, municipi^{al} and state officers be enjoined most stringently to enforce all existing laws tending toward exclusion of undesirable Asiatics."

GENERAL JAPANESE SITUATION.P O L I T I C A L :"JAPANESE ASSOCIATIONS TO PRESENT A UNITED FRONT - Continued.

The plan, as explained in Nichi Bei (Japanese-American News) of San Francisco, March 15, 1923, in its Los Angeles column, is as follows:

"The Japanese Association of Southern California, through its president, Ginnoyuke Yuasa, has suggested a conference of the leading Japanese associations of the United States and Canada, to convene as soon as possible after the United States Supreme Court renders a decision in the land law appeal cases set for hearing on April 16th.

"The calling of this conference is to be left to the Japanese Association of the Northwest at Seattle. The conference, as explained in the resolutions adopted by the Southern California Association, is to discuss preliminary investigations regarding the revision of the Japan-American treaty and the effect of the supreme court's decision."

The following associations have been invited to approve the plan and take part in the conference:

"The Japanese Association of America (San Francisco); the Japanese Association of the Northwest (Seattle); the Oregon Japanese Association (Portland); also the Japanese Associations of Vancouver, B.C., of New York, of Chicago and of Hawaii.

"While the language of the resolution calling for the conference is quite conservative, the real intent is more frankly and fully explained in an editorial which appears in the same issue of the Japanese-American News. Therein it appears that while consent would be given to stopping of further immigration from Japan, providing a sufficient number of women be admitted to give wives to all male Japanese now in this country (thereby insuring in each case an increase of the Japanese population through birth of an average of five children) the demand is made that Japanese residents now in America must be given equal privileges with other foreigners.

"This would mean naturalization and the right to own land, etc.

"The editorial in question is reproduced in its entirety herewith, under the title, 'All-American Conference of Japanese Residents Extremely Proper:'

"The Central Japanese Association of Southern California has proposed an all-American conference of Japanese residents. The plan is to hold a convention after the decision of the land law cases,

GENERAL JAPANESE SITUATION.POLITICAL:"JAPANESE ASSOCIATIONS TO PRESENT A UNITED FRONT"- CONTINUED.

which are to come up for hearing in the supreme court April 16th, the convention to be made up of representatives of the Central Japanese Association of Los Angeles, San Francisco, Portland, Seattle, Vancouver, B.C., New York, Chicago and Hawaii, for the purpose of considering:

- (1) Preliminary investigation regarding the revision of the Japan-American treaty, and
- (2) Effects of the supreme Court's decision.

"Some time ago a similar proposition was sent out by the New York Japanese Association. It is an extremely desirable thing and we hope it will be realized. Of course, we cannot tell how the supreme court will decide but even if our nationals are completely victorious, we shall secure nothing more than the rights of leasing, crop contract and acquiring stock in land-holding companies.

"It will not settle the whole land question. Particularly in view of the fact that in nine western states, i.e., California, Oregon, Washington, Arizona, Nevada, New Mexico, Idaho, Texas, and Montana, anti-Japanese laws have been enacted and that in the western belt of the United States, the acquisition of land by Japanese is forbidden and leasing land is restricted or about to be restricted, we cannot rest easy and satisfied merely by the partial settlement of the land laws of the two states of California and Washington, much less if we lose in the supreme court.

"Therefore, whether we win or lose, the question will be only partially settled. Hence, we must be thinking about the settlement of the remaining part. We must be thinking about the entire body of Japanese in the nine states. For this reason, it is most necessary to hold a conference of representatives of all the Japanese in America to discuss this question.

"Moreover, unjust discriminatory treatment of the Japanese is not limited to land questions. Discrimination is being attempted in the fishing industry, in the school question and in the freedom of occupation. And there is the still greater question of naturalization. To take measures for correcting all this under the great banner of "Abolish discriminatory treatment" is an extremely important thing.

"And, again, the present Japan-American commercial treaty reaches its full period in July of this year, and negotiations for revision may be opened at any time. The general situation is com-

GENERAL JAPANESE SITUATION.POLITICAL:"JAPANESE ASSOCIATIONS TO PRESENT A UNITED FRONT" - CONTINUED.

paratively favorable. In other respects, there is urgent need of putting it (revision) through at this time.

'It is not clear what the Japanese government authorities think, or whether they intend to open negotiations this year. No responsible member of the government has told us of any positive purpose concerning it. But the Japanese in America are practically a unit in the view that negotiations must be opened.

'For the sake of our country and race, and for the sake of Japan-American friendship, this is the time to act. Therefore, it is necessary first of all to push the matter. If our government is not frankly resolved on revision, every means should be employed to make it so. We can not easily do this by ordinary methods. We Japanese in America, to whom it is a question of life or death, should determine to accomplish our object at any sacrifice.

'The Central Japanese Association of Southern California's proposal to make a "preliminary investigation regarding the revision of the Japan-American Treaty" is entirely too mild. It is not thorough-going. But it is possible to interpret 'preliminary investigation' in a broad sense.

'As to how the treaty should be revised, a concrete draft can be drawn up to express the general will of all the Japanese in America after conference by their delegates. But inasmuch as the gentlemen's agreement is likely to be displaced by treaty provisions on the subject of immigration, it is necessary to consider this question in advance. In the main, it will be sufficient to come to an agreement with the American Government on the two great essential points:

'(1) In accordance with the wishes of America and the American people, let all immigration from Japan be stopped, except a proper number of women, students, tourists and persons engaged in intellectual pursuits.

'(2) Let Japanese residents in America enjoy equal rights and privileges with other foreigners in America.

'The decision in the hearing set for April 16th in the supreme court will be reached by the end of May. If possible, this all American convention of Japanese should be open in June.

'If the negotiations on treaty revision do not being during the present year, we can not but believe that a fine opportunity will be lost. There is danger that the next congress will pass an absolute Japanese exclusion bill and arouse unnecessary trouble between

GENERAL JAPANESE SITUATION.P O L I T I C A L:"JAPANESE ASSOCIATIONS TO PRESENT A
UNITED FRONT (CONTINUED)."

the two countries, which would raise anti-American feeling in Japan to a high pitch. This is something which gives great concern to the Japanese in America. "

THIS CASE ORIGINATED AT

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: SAN FRANCISCO, CAL.	DATE WHEN MADE: JULY 14th.	PERIOD FOR WHICH MADE: Week ending July 14, 1923.	REPORT MADE BY: [REDACTED]
TITLE AND CHARACTER OF CASE: ---GENERAL JAPANESE SITUATION--- ---SAN FRANCISCO DISTRICT---			
FACTS DEVELOPED: AT SAN FRANCISCO, CALIF.			
political ---ATTENTION MR. HOOVER-2---			
JAPANESE ARRIVING IN SAN FRANCISCO DURING JUNE, 1923.			
Occupation	From Japan Male Female	From Hawaii Male Female	Total
Wives, no occupation		2	70
Under 16, no occupation	8	17	25
Others, no occupation		3	3
Actors		2	3
Artist	1		1
Bankers	2		2
Chemist		1	1
Clergyman	1		1
Clerk	1		1
Dentists	3		3
Engineer, Electrical	1		1
Farmers	25		26
Farm Laborers	20		20
Fishermen	2		2
Gardeners	3		3
Hotel Keepers	5		6
Journalists	2		2
Laborers	3		3
Laundrymen	2		2
Laundry Proprietor	1		1

Supreme Court not mentioned on this page

65-302-

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 9/21/95 BY SP4 [REDACTED]

0.9.8
7-26-23
[REDACTED]

244474

FILE NO. **65-302-94.**
BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE
ROUTED TO: [REDACTED]

RECORDED
JUL 31 1923

REFERENCE:
MS

COPIES OF THIS REPORT FURNISHED TO:
**WASHINGTON 3. FILE 1. L.S. 1. SEATTLE 1. MID*SF-1.
MID-HONOLULU 1.**

7/14/25.

PAGE 5.

GENERAL JAPANESE SITUATION-

P O L I T I C A L:

JAP SCHOOLS REQUIRED TO TEACH U.S. CONSTITUTION-Contd.

teaching of the nation's history in the public schools and to develop the spirit of Americanism it also strikes directly at the Japanese Language schools which, according to persistent reports, are disseminating Nipponese propaganda and sponsoring allegiance to the Mikado.

Wood's ukase, however, demands strict observation of the law by all school officials, both public and private, and makes it plain that inculcation of un-American theories of government in the younger generation will not be tolerated by the State Department of Education.

The order calls for study and discussion of American ideals during the first two years of high school training. In the third year at least six months must be given over to detailed study of American history. The constitution and the theory of American democracy must be placed clearly in the mind of every student before his fourth and final year at high school is completed.

The NEW WORLD, a Japanese vernacular paper, in commenting editorially on the Supreme Court ruling of teaching of foreign languages in public schools. After pointing out the weakness of America in dealing with the Chinese question because of American ignorance of the Chinese language, says:

"Ever since the Boxer trouble America has been greatly perplexed about China, not knowing what sort of a country it is. It is fine that she is at last coming to know, but in order to know China a knowledge of Chinese letters (ideographs) is indispensable. And

67C
7/14/23.

PAGE 6.

GENERAL JAPANESE SITUATION-

P O L I T I C A L:

"And this is also true in regard to Japan. Japan is not understood in America. Even to this day she is seen through the medium of the English language and feared as a militaristic nation like Germany, in consequence of anti-Japanese propaganda. If there is an American who wants to know what Japan really is, who earnestly desires to study the essential nature of Japan let him familiarise himself with the Japanese language. If you will do this we are confident that Japan will be able to soak into your heads.

"Learning a foreign language is by no means becoming a foreigner. True life is in the individual spirit. If Inman and his supporters think they are serving the interests of America by ignoring the decision of the Supreme Court, abolishing foreign language schools and excluding the knowledge of foreign language tongues from the minds of the citizens, let them do so. The knowledge of the Japanese language can be secured spontaneously even without the Japanese language schools. By the absence of Japanese language schools the teachers examinations, the oversight of schools and the expense of teachers licenses will become unnecessary to the Japanese. These narrow-minded people who do not know the Japanese language and do not understand the Japanese show their pitiable ignorance by their idea that learning the Japanese language means Japanisation.

"The Japanese language is useful in knowing Japan but it is not destructive to America and does not transform American citizens into Japanese. The Japanese today are teaching the Japanese language to citizens of Japanese descent only so far as it is necessary. They are endeavoring to inculcate the spirit of Americanization. There is no ground whatever for the anxiety of Inman and his friends only let them remember that so long as Japan exists and there are Japanese people the Japanese language is going to be taught in America and no amount of opposition will stop it.

- - - - -

REPORT MADE AT: San Francisco, Cal.	DATE WHEN MADE: Nov. 17th	PERIOD FOR WHICH MADE: Week ending Nov. 17, 1923	REPORT MADE BY: [REDACTED] b7c
TITLE AND CHARACTER OF CASE: GENERAL JAPANESE SITUATION.		SAN FRANCISCO DISTRICT.	
FACTS DEVELOPED: AT SAN FRANCISCO, CALIF.		281 517 ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 10/19/88 BY [REDACTED]	
POLITICAL:		--ATTENTION MR. HOOVER--	
<p>Special dispatch to the Sacramento Bee from Washington, D.C., Leo A. McClatchy, dated Nov. 9, 1923, follows:</p> <p><u>U. S. SENATOR SHORTRIDGE HAS CITIZENSHIP PLAN TO HIT JAPANESE.</u></p> <p><u>Would Amend Constitution so That Right of Birth Would Not Let in Native Born of Non-Assimilable Races.</u></p> <p>Children born in this country to aliens who are ineligible to citizenship would not themselves be entitled to citizenship by right of birth, under the terms of a constitutional amendment Senator Samuel M. Shortridge of California will introduce in the next Congress.</p> <p><u>Japanese Gain by it.</u> As now framed, the Constitution confers citizenship rights on all children born in the United States regardless of their nationality. This, Senator Shortridge contends, is being used by the Japanese as a means of colonizing in this country an alien race that does not and will not assimilate, but which enjoys citizenship privileges here while at the same time believing its first duty is to Japan.</p> <p><i>Supreme Court not mentioned on this page</i></p> <p>Into the children of Japanese, no matter where they are born nor where they may be living, is instilled by parents the idea that their allegiance</p>			
REFERENCE: EA	COPIES OF THIS REPORT FURNISHED TO: WASHINGTON 3; FILE 1; SEATTLE 1; LOS ANGELES 1; PORTLAND 1; MID-SF 1; MID-HONOLULU 1.		

FILE NO. 65-302-112	SEARCHED & INDEXED
NOV 22 1923	DEC 6 1923
DEPARTMENT OF JUSTICE	
ROUTED TO: HOOVER	FILE [REDACTED]

12-1-23

67C
11/17/23.

Page 5.

GENERAL JAPANESE SITUATION.

P O L I T I C A L:

OMORI IS NEW PORT OF JAPAN.

Yokohama to be Abandoned.

Omori, 10 miles from Tokio, may take the place of Yokohama as chief port of Japan, according to coast steamship men.

does not pertain to the Supreme Court
The imperial government is reported to have decreed that Yokohama, "graveyard of 20 years' hopes", shall not be rebuilt as a seaport. Government dredgers already are at work at Omori to make it navigable for deep sea vessels. Plans have been submitted to the government for freight terminals.

While navigation conditions at Yokohama have been improving steadily since the first reports that lights were out and the bottom had changed, the city itself and living conditions in the vicinity are still repulsive to humans. Not more than half a dozen shanties are standing in the whole locality, and piers are all down except one.

X 67C
X U.S. SUPREME COURT UPHOLDS ALIEN LAND STATUTES OF CALIFORNIA AND WASHINGTON.

Press of California Featured the Stay on Front

Page.

California and Washington Laws Barring Ineligibles from Farms Held Constitutional. Treaty Rights not Violated by Measures. Opinion Avers; Discrimination Charge Denied.

The California and Washington alien land laws which exclude Japanese and other aliens ineligible to citizenship from owning or leasing agricultural lands were declared to be constitutional by the United States Supreme Court Nov. 12, 1923.

This decision which was made in two cases, one of which was brought against the State of California by W.L. Porterfield and Y. Mizuno

GENERAL JAPANESE SITUATION.

P O L I T I C A L:

and the other of which was brought against the state of Washington by Frank Terrence ^X and H. Nakatsuka ^X brings to a successful conclusion a fight against alien ownership of lands which began in this state in 1907.

The California law which was tested in the Supreme Court and which was on Nov. 12th, sustained, was first passed by the State Legislature in 1913 and was amended in 1920. The decision is declared a great victory for the State by officials and the heads of various civil organizations.

Treaties not Violated. The opinion, which was written by Justice Butler, holds that it is clearly within the power of any state to prohibit aliens who have not declared their intention of becoming citizens or who cannot become citizens, from owning lands. Despite the fact that the Japanese come within the latter category, Justice Butler declares that such legislation, in view of the existing treaty agreements, cannot be repugnant to the government of Japan.

Exactly what constitutes an ineligible alien and what are his constitutional rights is defined as follows in the Supreme Court decision:

Congress is not trammled, and it may grant or withhold the privilege of naturalization upon any grounds or without any reasons as it sees fit. But it is not to be supposed that its acts defining eligibility are arbitrary or unsupported by reasonable considerations of public policy. The State may properly assume that the consideration

GENERAL JAPANESE SITUATION.

P O L I T I C A L:

upon which Congress made such classification is substantial and reasonable. Generally speaking, the natives of European countries are eligible, Japanese, Chinese and Malays are not.

No Discrimination. Appellant's contention that the State's acts discriminate arbitrarily against Nakatsuka and other ineligible aliens because of their race are without foundation. All persons whatever color or race who have not declared their intention in good faith to become citizens are prohibited from owning agricultural lands. Two classes of aliens inevitably result from the naturalization laws - those who may and those who may not become citizens. The rule established by Congress on this subject in and of itself furnishes a reasonable basis for classification in a State law withholding from aliens the privilege of land ownership as defined in this act.

We agree with the court below, that it is obvious that one who is not a citizen and cannot become one lacks an interest in and the power to effectually work for the welfare of the State, and so lacking the State may rightfully deny him the right to own and lease real estate within its boundaries. If one incapable of citizenship may lease or own real estate, it is within the realm of possibility that every foot of land within the State might pass to the ownership or possession of non-citizens.

In that part of the opinion holding that the alien land laws of Washington and California did not conflict with the treaty between the United States and Japan Justice Butler said:

To prevail on this point applicants must show conflict be-

GENERAL JAPANESE SITUATION.

P O L I T I C A L :

tween the state act and the treaty. Each state, in the absence of any treaty provision, conferring the right, may enact laws prohibiting alien from owning lands within its borders. Unless the right to own or lease land is given by the treaty, no question of conflict can arise.

Attorney General U.S. Webb, Nov. 11th, made the following statement regarding the decision:

The decision which finally determines the constitutionality of the California alien land law, prohibiting the ownership of leasing of lands in this state by aliens ineligible to citizenship is most gratifying and is a great victory for California.

Two cases are yet pending, one involving the right of such aliens to own stock in land corporations and the other the right of such aliens to enter into so-called cropping contracts. The decision in these two cases will be awaited with interest.

Similar sentiments were expressed by V.S. McClatchy, former publisher of the Sacramento Bee, and one of the foremost proponents of the anti-alien land law, and secretary of the Japanese Exclusion League of California.

He said: The decision of the United States Supreme Court declaring valid the alien land laws of California and Washington forbidding ownership or lease of agricultural land by aliens ineligible to citizenship has been confidently expected by those instrumental in promoting such legislation, as not only legal but fair to all parties interested and absolutely demanded by a national safeguard.

GENERAL JAPANESE SITUATION.

P O L I T I C A L:

Unassimilable Barred. At a time when the country is overwhelmingly in favor of raising the standard of citizenship by restricting immigration of an undesirable nature, it is manifestly unwise to encourage the permanent settlement in our midst, through ownership or lease of rich agricultural lands, of unassimilable and therefore undesirable people.

Certainly the alien who under our law may never become a citizen, is for that reason unassimilable and politically undesirable, whatever may be his personal worth. To permit our lands to pass into such hands is to prevent to that extent their use and occupancy by our own citizens, and therefore to promote the development of communities of unassimilable aliens. In the legislation thus endorsed by the Supreme Court there is no discrimination and only a safeguard demanded by national interests.

There follows copy of editorial San Francisco "Examiner" Nov. 14, 1923.

EDITORIAL CONGRATULATES U. S. SENATORS JOHNSON, SHORTRIDGE
OF CALS. ON VICTORY IN ALIEN LAND LAW CASE.

A GREAT VICTORY.

The decision of the United States Supreme Court, upholding the alien land laws of California and Washington, is a tremendous victory not only for this State and the West, but for America and Americanism.

Our farms are now, after years of patriotic struggle, forever safe from ownership or lease by aliens of a low level of culture, low and destructive standards of production, non-assimilable blood and non-

GENERAL JAPANESE SITUATION.

P O L I T I C A L:

assimilable minds.

Our right, as a State, to safeguard our soil for Americans and the children of Americans, is now firmly cemented into the laws of our land.

No more Florins, with their slum-farms and slave-like picture brides tilling the fields.

No more evasion of their patriotic duty by near-American realty shysters, who would ruin our richest valleys for a little profit.

No more Placer county peach-orchards taken over by brown-skinned scellies and turned into a reproach to home-bred agriculture and a blot on California's landscape.

And, better than all, no more international truckling on the part of the United States, in fear of a medieval despotism whose statesmen laughed behind their hands at the propaganda of American sentimentalists and the blindness of American leaders. The Supreme Court has acted in support of California, where our weakhearted diplomats withheld their hands.

To Ex-Senator James D. Phelan, Senator Hiram Johnson, Senator Samuel M. Shertidge, State Senator John M. Inman, and the other leaders of California's 16-year fight - to the American Legion and other patriotic organizations who supported it - "The Examiner" extends its deepest congratulations.

Nobly these men and organizations have upheld American standards. The East was blind, and they have made it see.

Let us sum up the points in this decision, so that Califor-

674
11/17/23.

Page 11

GENERAL JAPANESE SITUATION.

P O L I T I C A L:

nians may know their basic rights:

Congress may freely rule as to who may become citizens of this country, and who may not.

A State may properly base its own legislative attitude upon such ruling. Congress has excluded Japanese, Chinese and Malays from citizenship.

California's alien land law is not discriminatory on the basis of race, for it forbids, from land-ownership or lease, all persons of whatever race who have not declared their intention of becoming citizens. This, of course, automatically excludes those peoples who are forbidden citizenship by act of Congress.

Nor does our State law conflict with the American-Japanese ^X treaty, since said treaty does not expressly give the Japanese the right to own or lease American land.

Finally, to quote from the decision a point repeatedly urged by the Hearst Newspapers:

"It is obvious that one who is not a citizen, and cannot become one, lacks an interest in and the power to effectually work for the welfare of the State *** If one incapable of citizenship may lease or own real estate, it is within the realm of possibility that every foot of land within the State might pass to the ownership or possession of non-citizens".

No argument could be more compelling. But ^{it} /is an argument no longer - it is law.

Two decisions are yet pending. One bears on the right of

GENERAL JAPANESE SITUATION.P O L I T I C A L:

aliens to own stock in land-corporations. The other concerns their right to enter into "cropping contracts".

In view of the above language, it is possible to hope for favorable decision on these forms of "camouflage ownership".

From this alien inroad-which was further advanced than many Californians, to say nothing of Easterners, yet realize - we are forever saved.

America's soil will stay American. California has won its fight.

There follows copy of editorial Fresno Bee, Fresno, Calif. Nov. 12th, 1923:

CALIFORNIA WINS ALIEN LAND SUIT.

The supreme court of the United States has declared constitutional California's Alien Land Act.

This approval by the highest judicial authority in the land at once accomplishes two things. It puts a quietus on the internationalist cry that California was, in passing this act, merely trying to stir up trouble in a field that rightly belonged to the federal government alone.

And it settles forever the most difficult phase of California's endeavor to save herself and her lands from the encroachment of an unassimilable alien race.

It is at one stroke decided, therefore, that California needs protection from this encroachment, and that she has a perfect right to protect herself. These have always been the state's principal conten-

GENERAL JAPANESE SITUATION.

P O L I T I C A L:

tions, and she may be justly triumphant over their complete vindication.

As to the Japanese, it is to be hoped that they will take the decision in the spirit in which it is intended. The Alien Land Act is not intended to brand the Japanese as an "inferior" people, but merely as an unassimilable one.

It is exactly the sort of legislation which in Japan has for years been aimed at the Chinese and the Koreans, whose influx the Japanese have had to regard with precisely the same emotions that Californians have held toward the Japanese influx here.

It is a purely economic measure, but is for all that, or perhaps because of that, one of extreme importance.

There follows copy of editorial San Francisco Journal, Nov. 14th, 1923;

VICTORY FOR A CALIFORNIA MEASURE THAT MAY RE-OPEN EMBARRASSING QUESTION.

Anti-Japanese Land Decision.

The United States Supreme Court has rendered a decision upholding the California and Washington alien land laws which operate to prohibit the Japanese from owning or leasing lands in these states. The present law provides that it is unlawful for any alien who is ineligible to American citizenship to own or lease land. The Japanese strongly object to the law on the ground that it discriminates against them, and argued that it violated existing treaties between the nations. The Supreme Court has found that the point is not well taken.

The Japanese are apparently reconciled to the rule which debars

GENERAL JAPANESE SITUATION.P O L I T I C A L:

them, along with other Orientals, from American citizenship. So long as other aliens are given the right to own land in this country they have held that their treaty rights, which guarantee them treatment as favorable as that of the most favored foreign nation, should operate to grant them that right also. Were this contention upheld, they claim that the treaty between the powers is the highest form of law and that it takes precedence over acts of Congress or of the state legislature. This view in general seems to be sound. It is undoubtedly correct that a state cannot enforce a law that will violate the provisions of an international treaty. Should this be possible it would nullify the treaty-making power of the United States.

The Constitution is the highest law of the land. If it contained a provision ruling out alien ownership of land then it would not be competent for the President and the Senate to enter into any treaty which would violate that provision. But the Constitution contains no such clause. The states may legislate as they see fit on the land question so long as their enactments do not contravene any higher authority. The Supreme Court holds that it is a legitimate exercise of the police power of the state to declare non-declarants for citizenship ineligible to own land. Such a discrimination is declared not to constitute a violation of any treaty between the United States and Japan.

The Japanese prohibit the Americans, as well as other foreigners, from owning land in Japan, but this they hold is not discriminatory, as it applies equally to all foreigners. Japan has objected to a law which withholds from her nationals rights which are allowed to

GENERAL JAPANESE SITUATION.

P O L I T I C A L:

other foreigners. They are a proud people and are not content to accept any status that operates to deny them equality with other foreigners. But our laws against Asiatic immigration and land ownership can be sustained in no other way.

STATEMENT OF SENATOR J.M. INMAN, PRESIDENT JAPANESE
X-EXCLUSION LEAGUE OF CALIF.

Oriental Exclusion League Will Continue Fight; Has
Basis Not to Proceed with Strict Enforcement.

Senator J.M. Inman, president of the California Oriental Exclusion League issued the following statement on Nov. 12, 1923:

"It is with extreme gratification that we learn of the decision of the supreme court upholding the validity of the alien land law, thus bringing to a successful conclusion a fight extending over a period since 1907, when the first agitation against the aggression of the yellow race was instigated.

Will Act Now. We are aware that the law has been violated in California and a large number of complaints have been lodged with us, but no active steps have been taken looking to the punishment of violators, but now that the law has been upheld by the supreme court, we propose to see to it that the law is enforced in every particular.

The law was strengthened by the so-called Woodbridge amendment at the last session of the legislature. The letter and spirit of the original law was being constantly violated by what was known as a 'crop contract'. This loophole has been effectually closed and we, knowing the sentiment of The People, propose to see to it that both the original law and the Woodbridge amendment are enforced literally.

I N D E X

GENERAL JAPANESE SITUATION

San Francisco District.

Week Ending December 8, 1923.

P O L I T I C A L:

PAGE

156 Alien Language Schools Licensed.....	1
Japan Accepts U.S. Alien Law, Says Envoy.....	1-2
Parlor Joins Fight For Alien Exclusion.....	2
Japan Plans To Thank America For Quake Aid.....	2-3
Japanese Government Cuts Budget of Navy Department.....	3-4
Japan Sees Hope For Peace and Accord in American Aims.....	4-6
Japanese in California Accept <u>Supreme Court Decision</u>	6-8
Labor Sees Hope in Jap Suffrage Act.....	8-9
Farmers Face Crisis in Jap Labor Quater.....	10
American Steamship Chartered by Japanese.....	11

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/19/82 BY SP7MAC/SLC
287 548

TELETYPE
4 1923
JAN

DFC:HS

EDW. P. MORSE,
Acting Agt. in Charge.

(65-302-115)

REPORT MADE AT: SAN FRANCISCO, CAL.	DATE WHEN MADE: DEC. 8th.	PERIOD FOR WHICH MADE: Week Ending Dec. 8, 1923.	REPORT MADE BY: [REDACTED] <i>b7c</i>
TITLE AND CHARACTER OF CASE: <div style="display: flex; justify-content: space-between;"> <div> --GENERAL JAPANESE SITUATION-- </div> <div> --SAN FRANCISCO DISTRICT-- </div> </div>			
FACTS DEVELOPED: <u>At San Francisco, Calif.</u> <u>P O L I T I C A L:</u> <u>156 ALIEN LANGUAGE SCHOOLS LICENSED.</u> California has granted credentials to 156 foreign language school teachers within the last five months and 93 of these were Japanese instructors. It was announced Nov. 26th by Sam. H. Cohn, Deputy State Superintendent of Public Instruction. Disappearance of the war-time feeling against German was evidenced by issuance of two permits to operate private schools in the Teutonic language. ----- <u>JAPAN ACCEPTS U.S. ALIEN LAW, SAYS ENVOY.</u> Tokyo, Nov. 30-- Hiroshi Saito, recently appointed Consul General at New York, discussed <u>American-Japanese</u> relations and the recent decisions of the United States Supreme Court regarding the anti-alien land laws of Washington and California here today. Speaking before a luncheon meeting of the Pan-Pacific Club, the Japanese declared he believed the Supreme Court had interpreted the laws in question correctly, but, he added, "I am afraid of the after -"			
REFERENCE: HS		<div style="text-align: right;"> ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 10/19/88 BY SP7MAC/AL 287,548 </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> FILE NO. 65-302-115 BUREAU OF INVESTIGATION DEC 13 1923 DEPARTMENT OF JUSTICE ROUTED TO: HOOVER FILE W </div> <div style="text-align: right; margin-top: 10px;"> JAN 2 - 1924 </div>	
COPIES OF THIS REPORT FURNISHED TO:		WASHINGTON 3. FILE 1. LOSANGELES 1. SEATTLE 1. PORTLAND 1. MID-SF 1. MID-HONOLULU 1.	

12/8/23.

PAGE 6.

GENERAL JAPANESE SITUATION

P O L I T I C A L :

Does not pertain to the Supreme Court

"The Washington treaties are not documents designed to promote peace so much as they are indications of an understanding and accord that exists. Without the desire for these things on the part of the nations whose representatives drafted the treaties, those documents would not have been ratified."

- - - - -

JAPANESE IN CALIFORNIA ACCEPT SUPREME COURT DECISION.

Japanese agriculturists and other nationals living in California will make no fight upon the recent decision of the United States Supreme Court, upholding the constitutionality of the California alien land law, and will make every effort to conform to the ruling.

Such was the opinion voiced by Japanese delegates representing forty communities of the State gathered in meeting Nov. 30th, 1923, at the Japanese Y.M. C. A. 1409 Sutter Street, San Francisco, when ways of placing this decision fully within the understanding of each Japanese resident were discussed in detail.

COOPERATION URGED.

"The Japanese residents of California have no intention of combating the decision of the Supreme Court in this matter, and, indeed, intend to comply with it in the fullest degree," T. Takimoto, general secretary of the Japanese Association of America, said.

12/8/23.

PAGE 7.

GENERAL JAPANESE SITUATION

P O L I T I C A L:

"That was the unanimous decision of the delegates gathered here, and they represent every Japanese community in California. Further, they are backed in their decision by a majority of the Japanese nationals they represent."

The meeting, which was called under the auspices of the Japanese Association of America, will reconvene at 10 o'clock Dec. 1. when a committee appointed Nov. 30th to devise ways and means of presenting the Supreme Court ruling to Japanese agriculturalists in detail, will make a report. The association, according to Takimoto, considers this one of the most important actions it can take at this time, but foresees some difficulty unless a comprehensive method of explaining the legal details of the decision can be devised.

DETAILS WITHHELD

While several tentative methods of spreading this propaganda were suggested, the association withheld from publication details of those plans, feeling, Takimoto declared, that public discussion of methods other than that adopted might serve to confuse the situation.

U. Oyama, Japanese consul general at San Francisco, was one of the first speakers to declare unequivocally for compliance with the court's ruling. He told the delegates that the decision of the highest American tribunal must be upheld to the fullest extent, and that all Japanese in California must be made to realize that responsibility for such compliance rested on their individual

12/8/23.

PAGE 8.

GENERAL JAPANESE SITUATION

P O L I T I C A L:

shoulders. The Consul-General and other speakers in behalf of this policy were roundly applauded.

The meeting was presided over by W. Suto, who is president of the Japanese Rotary Association of Stockton.

LAWS UPHELD.

The Supreme Court's ruling, handed down November 12, by Justice Butler, confirmed that aliens can be prohibited by states from holding land, provided there is no treaty stipulation to the contrary, and affirmed that the existing treaty between the Washington and Tokyo governments contained no such stipulation. The alien land laws of California and Washington were thus upheld, and litigation arising from these State statutes thereby settled.

- - - - -

LABOR SEES HOPE IN JAP SUFFRAGE ACT.

"I detest all members of the Imperial Japanese Diet. More so would I detest to become a member of our parliament myself. But should I be chosen a candidate I should not be afraid to represent labor for I have determined to give my life toward the cause of labor uplift in my country."

In these words Bunji Suzuki, head of the Federation of Labor in Japan, outlined recently his stand toward the proposed introduction into the Diet of a measure for manhood suffrage in Japan. Suzuki, as leader of the greatest labor organization in the country,

12/8/23.

PAGE 10.

GENERAL JAPANESE SITUATION

P O L I T I C A L:

FARMERS FACE CRISIS IN JAP LABOR OUSTER.

State Asked to Bring 800 Workers From Midwest to
Replace Orientals Banned by Law.

Plans to bring white workers into California from the Middle West to replace Japanese who have been ousted from agricultural lands by the "crop contract" amendment of the anti-alien land law, recently upheld by the United States Supreme Court, were presented today, Nov. 29th, to George H. Hecke, State Agricultural director, by a committee of Northern California agriculturists.

The majority of the middle westerners, under this plan, will be used to supplant Japanese in Placer County, where the State law prohibits approximately 1,200 Orientals from continuing their practice of occupying and cultivating lands owned by white men on a crop share basis.

C.K. Turner, Placer County horticultural commissioner, told Hecke the county faces a serious labor shortage and declared action similar to that proposed must be taken in the immediate future.

He estimated that 800 white workers can handle the farm labor heretofore done by 1,200 Japanese.

Agricultural officials said that farmers in several sections of the state also contemplate steps in keeping with the recently validated land law to assure future control of California lands by white workers.

- - - - -

REPORT MADE AT: San Francisco, Cal.	DATE WHEN MADE: Dec. 15th	PERIOD FOR WHICH MADE: Week ending Dec. 15, 1923	REPORT MADE BY: [REDACTED] b7c
TITLE AND CHARACTER OF CASE: GENERAL JAPANESE SITUATION SAN FRANCISCO DISTRICT.			
FACTS DEVELOPED: <u>AT SAN FRANCISCO, CALIF.</u>			
<p style="text-align: right;">ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 10/19/88 BY SP7MAC/HK 287.528</p> <p style="text-align: center;">--ATTENTION MR. HOOVER</p> <p><u>POLITICAL:</u></p> <p style="text-align: center;"><u>COLONEL REBER WINS JAPANESE DECORATION.</u></p> <p>Tokyo, Dec. 8. Colonel Samuel Reber, U.S.A., retired, at present Japan representative of the Radio Corporation of America, has been decorated with the <u>Order of the Rising Sun, fourth class</u>, in recognition of his services during the earthquake. Colonel Reber has sailed for the United States on the Empress of Russia.</p> <p style="text-align: right;">Supreme Court not mentioned on this Page.</p> <p style="text-align: center;"><u>JAPANESE BUDGET FOR 1924 is \$649,418,618.</u></p> <p>The official estimate of the budget for 1924, announced yesterday by the Finance Department, totals 1,298,837,237 yen (\$649,418,618). Ordinary revenue is estimated at 1,214,888,586 yen and extraordinary revenue at 83,948,649 yen. The expenditure of 597,785,044 yen (\$298,873,524) for the reconstruction of Tokyo and Yokohama over a period of six years is sought as an extra expenditure. The reduction peak is set for 1925, when 148,769,079 yen will have been spent. The new budget estimate is 100,000,000 yen under last year.</p> <p style="text-align: center;"><u>CHILDREN KEY TO LAND AIMS,</u> <u>JAPANESE TOLD.</u></p> <p>Nippon Papers Here Urge Patience Until Offspring can Again Acquire Farms.</p> <p>Further evidence that the Japan-</p> <div style="border: 1px solid black; padding: 5px; float: right; text-align: center;"> <p>DO NOT WRITE IN THESE SPACES</p> <p>FILE NO. 65-302-116</p> <p>BUREAU OF INVESTIGATION</p> <p>DEC 16 1923</p> <p>DEPARTMENT OF JUSTICE</p> <p>ROUTED TO: FILE</p> <p>MOORE.</p> <p>JAN 2 1925</p> </div> <p>REFERENCE: EA 970</p> <p>COPIES OF THIS REPORT FURNISHED TO: <u>WASHINGTON 3; FILE 1; PORTLAND 1; SEATTLE 1; LOS ANGELES 1;</u> <u>MID-S.F. 1; MID-HONOLULU 1.</u></p>			

12/15/23.

Page 2.

GENERAL JAPANESE SITUATION.

POLITICAL.

ese of the Pacific Coast are planning to use their American-born offspring to circumvent the provisions of the alien land laws is contained in recent issues of the "Nichi Bei" and "Shin Sehai", two vernacular newspapers of Sacramento.

In their issues of November 13, a few days after the United States Supreme Court had affirmed the validity of the alien land laws of California and Washington, both of the Sacramento Japanese newspaper devoted columns to the matter.

A sample of the interviews with prominent Japanese, which were published on that date, is the one of Secretary Watanabe of the Japanese Chamber of Commerce, who is quoted as follows:

Already the American-born children are growing up. Hence it we are patient for a few years, practicing economy and laying up money until the time comes, we shall be all right. It is only a matter of endurance and perseverance in laying up money and buying good securities. Those who can should engage in commercial and manufacturing enterprises. There are no anti-Japanese laws in business and manufacturing, and I think it would be easy to go forward on this line. But at any rate, even if we wait until the American-born children are grown to buy land, it will be only five or ten years. So there is no reason for discouragement.

Although he refused to advance any suggestions as to what action should be taken, Manager Kojima of the Specie Bank declared:

"It is necessary for everyone to be determined to go as far as possible".

Speaking editorially the "Nichi Bei" (Japanese American News)

b7c
12/15/23.

Page 3.

GENERAL JAPANESE SITUATION
POLITICAL:

says:

The two States cannot do without the agricultural skill of the Japanese and the agricultural land owned by Japanese before the land law went into effect is safe, of course, and the land companies by the rights already acquired can acquire and lease land, and the number of these companies is far from small.

These editorials and comments appeared one week after the issue of the "Great Northern Daily News", and leading Japanese organ of Seattle, in which the Japanese of the Northwest were urged to devote more attention to the care and education of their American-born children because "these children are to be used as instruments in the question of rights".

NATIVE SONS WILL PAY FOR COURT VICTORY, SAY
JAPANESE.

By Carl Brannin, Communist Staff Writer "San Francisco Labor Unity" December 6, 1923.

Fruits and vegetables in the raising of which Japanese farmers are specialists will cost twice as much next season as the one just passed, say officials of the Japanese Association in discussing the decision of their members to give up all lease and contract crop arrangements in compliance with the terms of the California Anti-Oriental Land Law, recently upheld by the United States Supreme Court.

While in all probability the greater part of the 30,000 acres which will be relinquished by Japanese will be cultivated by California owners with hired help, production standards in quantity and low cost cannot be held up. This, according to those in charge of the Association is to be expected even though the greater part of the 8000 dispossessed

b7c
12/15/23.

Page 4.

GENERAL JAPANESE SITUATION.
POLITICAL.

Japanese may be employed as wage earners on the farms where they formerly worked on shares or for cash rental.

"Men working for wages are not so likely to strain themselves to make a big showing as where they worked partly for themselves," said the secretary of the Association. He did not remark as to the dampening effect on productive effort of the treatment accorded a handful of people by a great nation presumedly dedicated to democracy and brotherhood.

It is expected that most Japanese farmers will have little trouble in securing work in the country at relatively good wages though it is admitted they will endure some hardships and inconvenience in "pulling up stakes" to look for work in different localities from where they now reside.

SAN JOAQUIN JAPANESE DROP CONTRACTS, ASK WAGES.

Lodi, Dec. 10. S. Takahashi, secretary of the Lodi Association, says that their 300 members are planning to cancel all of their 1924 contracts for land to work for wages in the future, as per the decision of the supreme court.

The matter has been thoroughly discussed by the local association and the secretary has also visited San Francisco, where representatives of thirty agricultural and mercantile associations have held meetings for the purpose of discussing this decision. The unanimous opinion seems to be in favor of gracefully submitting to the requirements of the law as interpreted by the supreme court.

In the past, the Japanese have held leases on 2,500 acres in the Lodi district, and these are all terminated now. This leaves an

GENERAL JAPANESE SITUATION.
POLITICAL.

Dr. Tomkins, appeals to Secretary Hughes to investigate, and then "take steps to assist these unfortunate people" under its treaty obligations - "neglected so long that we have forgotten our duty".

JAP LAND ACT EVASION BARED.

The above caption was spread across the entire front page in large type of the San Francisco "Examiner" Dec. 12, 1923.

Plan to Balk Alien Barrier Discovered.

Editorial in S.F. Oriental Paper Quoted by V.S. McClatchy Secretary and manager Japanese Exclusion League of California to Disclose the Subterfuge.

Despite their defeat in the United States Supreme Court and despite the recent announcement by leading Japanese that they would make no further attempt to lease or purchase land in California, the Japanese in this State have discovered a plan to use a new means to circumvent the anti-alien land act and the Woodbridge act passed by the last Legislature.

Just how it is to be done is shown by V.S. McClatchy in a statement issued yesterday. McClatchy quotes a translation of an article published in the "Japanese-American News" ("Nichi Bei") of San Francisco on November 22.

Here is the statement by McClatchy:

Thirty-four Japanese commercial and agricultural organizations of California, through representatives held a conference at San Francisco November 29 and 30, following which they made publication of their determination to comply with the Woodbridge act, passed by the last legislature, and all other provisions of the alien land act, which it

12/15/23.

Page 8.

GENERAL JAPANESE SITUATION.
POLITICAL.


amends. They declared particularly their intention of not fighting the cropping contract and lease provisions, in view of the recent decisions of the United States Supreme Court.

Editorial Quoted. No intimation was made in their published statement as to what course they proposed to follow in the matter of agricultural pursuits in the future - whether to accept positions at stated wages or to abandon agriculture and go into business pursuits. The extracts quoted below, translated from an editorial in the "Japanese American News" ("Nichi Bei") of San Francisco November 22, 1923, will furnish the necessary explanation:

"As remedial measures for our defeat in the lawsuit regarding crop contracts the thoughts of everyone turn to the rights of the American-born and the land companies which have the right to own and lease land as the central features in the establishment of new forms under which we shall carry on farming. If these two methods are employed, we can continue our farming on a scale at least as large as the present, and the Japanese laborers and American landlords will not find their interests materially affected.

Japanese Foremen. How many Japanese born and educated in America have attained their majority is uncertain, but there are probably at least 400 or 500 in the State of California. . . .

It is entirely legal for these persons, either as individuals or by organizing companies or partnerships to employ experienced farmers as laborers and carry on farming. Since they are American citizens they can own land, lease land and make crop contracts with American land.

REPORT MADE AT: SAN FRANCISCO, CAL.	DATE WHEN MADE: DEC. 22nd.	PERIOD FOR WHICH MADE: Week Ending Dec. 22, 1923.	REPORT MADE BY: 
TITLE AND CHARACTER OF CASE: <u>GENERAL JAPANESE SITUATION-</u> <u>--SAN FRANCISCO DISTRICT--</u>			
FACTS DEVELOPED: <u>At San Francisco, Calif.</u>			
<p>ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 10/19/88 BY SP/ma/bre 287.548</p> <p>ATTENTION MR. HOOVER-2-- <u>JAPANESE BLOCK CHINA RADIO PLANS.</u> <u>Head of Federal Telegraph Company Assails</u> <u>Tactics of Diplomats.</u></p>			
<p>Internationalization of foreign owned radio stations in China, proposed as a means of ending the long diplomatic controversy over American and Japanese claims to Chinese wireless concessions, never will be approved by the Chinese or American governments, in the opinion of R. P. Schwerin, president of the Federal Telegraph Company of America, asserted at New York. He has had conferences with state department and Japanese embassy officials in Washington recently.</p> <p><i>Supreme Court not mentioned on</i> <u>ACCUSES JAPANESE. This page.</u></p>			
<p>Despite the recent ratification by the Peking cabinet of the Federal Company's contract to build five radio stations in China, to be operated in conjunction with the Radio Corporation of America, Schwerin charged that Japanese diplomats in China had so well taken advantage of the openings in provincial land condemnation proceedings as to make it impossible for his concern to get sites up to the</p>			
REFERENCE: HS		<p>COPIES OF THIS REPORT FURNISHED TO: MID-HONOLULU 1. WASH. 3; FILE 1; LOS ANGELES 1; SEATTLE 1; PORTLAND 1; MID-SF 1</p>	

65-302-118

FILE NO. 65-302-118.	INDEXED
BUREAU OF INVESTIGATION	JAN 12 1924
DEPARTMENT OF JUSTICE	
ROUTED TO:	FILE

12/22/23.

PAGE 10.

GENERAL JAPANESE SITUATION

P O L I T I C A L :

JAPANESE CROP CONTRACTS FINALLY KNOCKED OUT.

The recent decision of the United States Supreme Court, in the case of Attorney General Webb of California against O'Brien and Inouye, sustaining the anti-alien land law of this state with respect to crop contracts, is an excellent example of the judicial reasoning which looks beyond the mere wording of a contract to actual meaning and purpose.

O'Brien owned ten acres of land in Santa Clara County, and entered into a cropping contract with Inouye, a Japanese, for four years, with full rights to occupancy and housing. Inouye was to have half of all crops as his share of the results of his work and expenditures.

On appeal, an attempt was made to have the contract construed as one of employment, but the United States Supreme Court says in its decision, as now published in full:

We are of the opinion that it is more than a contract of employment; that, if executed, it will give to Inouye a right to use and to have or share in the benefit of the land for agricultural purposes.

And this is so, notwithstanding other clauses of the contract to the effect that the general possession of the land is reserved to the owner; that he is given one-half of all crops grown as compensation for his services and labor, and

GENERAL JAPANESE SITUATIONP O L I T I C A L:

that division of the crops is to be made after they are harvested and before their removal from the land.

It is plain that these clauses outlined by the court were inserted in the contract with the object of masking its actual nature, and in the hope of defeating the California law against such compacts.

It also is clear that by means of such cropping contracts- if they could be held valid despite state legislation to the contrary- the aim of the California law making aliens ineligible to American citizenship, ineligible also to acquire or lease agricultural lands in this state, would to a large extent be defeated. For if Japanese or other such aliens could gain and keep actual possession and use of farm lands by means of cropping contracts, renewed from term to term, the results would be much the same as in case of actual ownership or leasing.

The same decision points out that the United States treaty with Japan grants liberty to own or lease and occupy houses, warehouses, factories and shops, and to lease land for residential or commercial purposes, but gives no permission to enjoy, use of have the benefit of land for agricultural purposes, which the California act forbids.

And the court says, further, with relation to the O'Brien Inouye contract:

GENERAL JAPANESE SITUATIONP O L I T I C A L:

The right to make and carry out cropper contracts such as that before us is not safeguarded to ineligible aliens by the constitution. A denial of it does not deny the ordinary means of earning a livelihood or the right to work for a living. The practical result of such contract is that the cropper has use, control and benefit of land for agricultural purposes substantially similar to that granted to a lessee.

Conceivably, by the use of such contracts, the population living on and cultivating the farm lands might come to be made up largely of ineligible aliens. The allegiance of the farmers to the state directly affects its strength and safety.

We think it within the power of the state to deny to ineligible aliens the privilege so to use agricultural lands within its borders.

So, having found the California alien land act denies to Japanese nothing to which they are entitled by treaty, or any rights of aliens under the federal constitution, and that the contract in question was in violation of the state law, the supreme court reversed the judgment of the United States District Court and dissolved the injunction granted below against institution of prosecution by Attorney General Webb.

I N D E X

GENERAL JAPANESE SITUATION

SAN FRANCISCO DISTRICT

WEEK ENDING - JANUARY 12, 1924.

POLITICAL:

PAGES

Million Dollar Stock Company Organized for Investment in Farm Lands and Products	1-3
More Proof of Japanese Evasion of Law	3-4
The Inevitable Conflict	4-6
Do You Reject Japan? Or Do You Reject the Japanese People?	6-7
Kenseikai Takes Action Regarding Supreme Court's Decision	7-8
Opinions of our Countrymen's Supporters	8
Violation of Commercial Treaty	8
Japanese Hold U.S. Aid Vital to Peace Plan	8-9
Japan Cabinet Men Picked	9-10
Japan Concentrates on Short Wave Wireless Transmission	10
Russian Trade With China Arouses Japan	10

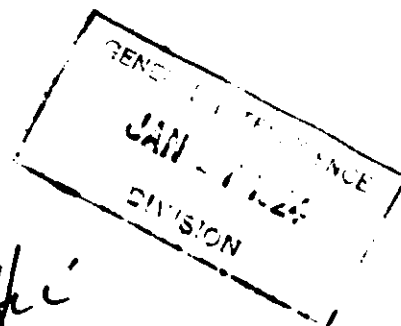
* * * * *

* * * * *

* * *

*

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/19/88 BY SP7mac/Hic
287,548



FREDERICK L. ESOLA,
Special Agent in Charge.

THIS CASE ORIGINATED AT

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: San Francisco, Cal.	DATE WHEN MADE: Jan. 12th	PERIOD FOR WHICH MADE: Week ending Jan. 12, 1924	REPORT MADE BY: [REDACTED] b7c							
TITLE AND CHARACTER OF CASE: GENERAL JAPANESE SITUATION										
FACTS DEVELOPED: AT SAN FRANCISCO, CALIF.										
<p style="text-align: right;">SAN FRANCISCO DISTRICT.</p> <p style="text-align: center;">ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE <u>10/19/88</u> BY <u>SP-1 MAC/THC/ON-120</u> --ATTENTION MR. HOOVER--</p> <p style="text-align: right;"><i>Alien Hand</i></p>										
POLITICAL:										
<p>The following translations from Japanese newspapers in Seattle, Wash., and San Francisco, Calif., were secured from Mr. V.S. McClatchy, Secretary Japanese Exclusion League of California, 910 Humboldt Bank Bldg., San Francisco:</p> <p style="text-align: center;"><i>Supreme Court not mentioned on this page</i></p> <p style="text-align: center;"><u>MILLION DOLLAR STOCK COMPANY ORGANIZED FOR INVESTMENT IN FARM LANDS AND PRODUCTS.</u></p>										
<p>In former statements issued for publication, attention has been called to the announced intention of the Japanese, as indicated by translation from Japanese newspapers in Seattle and San Francisco, to utilize the rights of their American-born children as American citizens, to secure for the naturalized and ineligible Japanese aliens in this country, these privileges in regard to land leasing and land ownership which are denied by our existing laws.</p>										
<p>In California, the announced intention was not only to utilize the four or five hundred California-born Japanese who have reached their majority, but also those born in Hawaii who have come</p>										
REFERENCE: EA		<p style="text-align: right;">RECORDED & INDEXED</p> <p style="text-align: center;">DO NOT WRITE IN THESE SPACES</p> <table border="1"> <tr> <td>FILE NO. 65-302-120</td> <td rowspan="3"></td> </tr> <tr> <td>BUREAU OF INVESTIGATION JAN 17 1924</td> </tr> <tr> <td>DEPARTMENT OF JUSTICE</td> </tr> <tr> <td>COPIES OF THIS REPORT FURNISHED TO: WASHINGTON 3; FILE 1; LOS ANGELES 1; SEATTLE 1; PORTLAND 1; MID-HONOLULU 1; MID-S.F. 1.</td> <td>ROUTED TO: [REDACTED]</td> <td>FILE [REDACTED]</td> </tr> </table>		FILE NO. 65-302-120		BUREAU OF INVESTIGATION JAN 17 1924	DEPARTMENT OF JUSTICE	COPIES OF THIS REPORT FURNISHED TO: WASHINGTON 3; FILE 1; LOS ANGELES 1; SEATTLE 1; PORTLAND 1; MID-HONOLULU 1; MID-S.F. 1.	ROUTED TO: [REDACTED]	FILE [REDACTED]
FILE NO. 65-302-120										
BUREAU OF INVESTIGATION JAN 17 1924										
DEPARTMENT OF JUSTICE										
COPIES OF THIS REPORT FURNISHED TO: WASHINGTON 3; FILE 1; LOS ANGELES 1; SEATTLE 1; PORTLAND 1; MID-HONOLULU 1; MID-S.F. 1.	ROUTED TO: [REDACTED]	FILE [REDACTED]								

698 1-25-30 W...

GENERAL JAPANESE SITUATION.

POLITICAL:

of \$10.00 each. The editorial states that the company "at the center of which stand a number of well-known Americans, is for the purpose of giving aid to general farming industry by investing capital in farm lands and farm products, and furnishing financial assistance to Japanese farmers in California".

MORE PROOF OF JAPANESE EVASION OF LAW.

Apparently the authorities statement given out following a conference in San Francisco Nov. 20 and 30, of the thirty-four Japanese organizations of the state to the effect that the Japanese intended to comply fully with the letter and intent of the law as interpreted by the U.S. Supreme Court, was not made in good faith.

At a meeting held in Fresno, Dec. 21st at the Commercial Club, at which were present a group of Japanese and American attorneys and farmers, in a discussion of the state alien land laws, Albert Elliott of the firm of Elliott & Cadden, general counsellors for the Japanese Association of California, presented two plans for continuing the use of agricultural lands by alien Japanese, notwithstanding the existing laws and the interpretation made thereof by the Courts.

The first of these plans provided for the hiring of Japanese labor, with bonus based on net profits from the crops instead of the gross profits.

This was so clearly an attempt to evade the intent of the law that District Attorney Ernest H. Clark, of Fresno County, declared he would prosecute anyone taking part in such a contract within his jurisdiction.

b7C 1/12/24.

Page 7.

GENERAL JAPANESE SITUATION.

PODEFICAL:

increase; so long as America does not adopt the spirit of compromise, this question will be forever insoluble.

The race question has its origin in sentiment. It is influenced by feeling, directed by feeling. Therefore so long as we are unable to touch the feelings anti-Japanism is unavoidable. For the settlement of such a great question as this there must be on our part a correspondingly great resolve.

America has already rejected Japan and consequently she rejects that Japanese people. Therefore so long as we listen contentedly to the flattering words of white men who overestimate Japan and talk of the Japanese as a superior race we can never escape from this anti-Japanism. The Japanese in America are aliens in race. They have been sentenced to discriminatory treatment. We can not submit willingly to this but if we firmly resolve to treat it as unavoidable while we, as people of an alien race, subject to discriminatory treatment, make firm the foundations of our life we shall not be greatly annoyed in the future, whatever anti-Japanism may arise. Let us fall as far as we have to fall, gradually carving out the way before us, meanwhile arousing Japan to an attitude of downright earnestness.

The following Tokyo telegrams were published in the "New World"

Dec. 15, 1923:

x 6 x 8
KENSEIKAI TAKES ACTION REGARDING SUPREME COURT'S
DECISION.

Attack Government's Weak Diplomacy.
Questionnaire Presented in Parliament.

b7✓ 1/12/24.

Page 8.

GENERAL JAPANESE SITUATION.

POLITICAL:

(Tokyo 14th) The Kenseikai has taken the initiative in filing a formal protest in the Diet against the land law decisions of the Supreme Court of America. The protest has taken the form of a question of the following purport:

"The decisions of the Supreme Court have cut off the means of livelihood from 200,000 Japanese in every part of America and placed them in a position of extreme hardship. What measures does the Government intend to take in regard to this?"

OPINIONS OF OUR COUNTRYMEN'S SUPPORTERS.

The contention of the politicians who are supporting this bill (interpellation) is that they are defending to the extreme limit the legally acquired rights of the Japanese in America, and also that "America is an ideal place for Japanese colonists, the only place to which Japanese emigrants can go and live permanently". But the Government's ambiguous attitude has gradually hampered the agricultural activities of the Japanese in America, and now the recent decisions have finally cut them off absolutely from the hope of future development.

VIOLATION OF COMMERCIAL TREATY.

"Such a great menace to the well-being and happiness of the Japanese in America robs the Japanese people of rights already acquired and violates the commercial treaty between Japan and America. Moreover it must be recognized as involving the friendly relations of the two nations."

JAPANESE HOLD U.S. AID VITAL TO PEACE PLAN

'Tokyo Jan. 2) An understanding between America and Japan is

THIS CASE ORIGINATED AT

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: SAN FRANCISCO, CAL.	DATE WHEN MADE: JAN. 5th.	PERIOD FOR WHICH MADE: Week Ending Jan. 5, 1924.	REPORT MADE BY: [REDACTED] <i>67C</i>
TITLE AND CHARACTER OF CASE: ---GENERAL JAPANESE SITUATION---		---SAN FRANCISCO DISTRICT---	
FACTS DEVELOPED: At San Francisco, Calif. <i>Supreme Court not mentioned on this 65-302</i> ---ATTENTION MR. HOOVER-2--- <i>Page.</i>			
<u>JAPANESE STRESS LOYALTY TO UNITED STATES.</u>			
<u>Young Men Urged to Obey Laws of Adopted Country By</u>			
<u>Association Speakers.</u>			
<p><i>287548</i> ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 10/19/88 BY [signature] "It is the duty of every young Japanese in America living under the protection of the United States, to be loyal to American principles." M. Ozawa, secretary of the Japanese Association of Fresno County, told members of the League of Young Japanese Men's Associations of Fresno County at a meeting Dec. 29th, at Fresno, Calif.</p> <p>The meeting was held at the hall of the Buddhist Church, Kern and "E" streets. It was called by the Japanese "The Meeting To Forget the Old Year".</p> <p>The meetings are annual events with the Japanese. More than sixty members of the city and county organizations attended.</p> <p>The program included speeches by Rev. J. K. Fukushima, pastor of the Japanese Congregational Church, Rev. I. Kyogoku, pastor of the Buddhist</p>			
DO NOT WRITE IN THESE SPACES			
FILE NO. 65-302-121 BUREAU OF INVESTIGATION JAN 9 - 1924 DEPARTMENT OF JUSTICE		JAN 17 1924	
ROUTED TO: HOOVER		FILE <i>[initials]</i>	
REFERENCE: HS	COPIES OF THIS REPORT FURNISHED TO: WASHINGTON 3. FILE 1. LOSANGELES 1. SEATTLE 1. PORTLAND 1. MID. S.F. 1. MID-HONOLULU 1.		

574
1/5/24.

PAGE 4.

GENERAL JAPANESE SITUATION

P O L I T I C A L :

ALIEN LAND LAW ENFORCEMENT UP.

Plans were under way today stringently to enforce the United States Supreme Court decision upholding the alien land law, U. S. Webb, state attorney general, having called a conference of district attorneys here for January 12. X 8910?

At this meeting cropping contracts will receive particular attention. After the State Supreme Court decision, many cropping contracts were made on advice of district attorneys, and these contracts now must be abrogated under the federal court ruling.

JAPAN FEARS ASIATIC WARS.

Viscount Goto Wants U. S. To Cooperate in Far East.

does not pertain to the Supreme Court
An understanding between America and Japan is vital to preserve the peace of the Orient, Viscount Shimpei Goto declared Jan. 2 in an exclusive interview with the United Press.

Goto is minister of home affairs and leader of the movement for Japan's recognition of Russia.

With abnormal conditions in Russia and China there is a possibility of an Asiatic conflagration that may lead to another world war, he said. These abnormal conditions cannot be corrected unless America will cooperate with Japan in the development of China and Russia.

"A vital element in my Russian policy is America,"

he declared.

1/5/25.

PAGE 6.

GENERAL JAPANESE SITUATION

P O L I T I C A L :

X. The following excerpts are taken from the Japanese-American News, San Francisco:

FINANCING JAPANESE FARMERS.

A Corporation Formed to Utilize Japanese Capital
in Working California Farming Lands.

Does not pertain to the Supreme Court

X⁹ "Messrs. Elliott & Cadden, who for a long time have been consulting attorneys for the Japanese Association of America, in legal matters affecting the Japanese, have filed with the California State Government at Sacramento, an application for the formation of a company called "THE DEVELOPMENT FINANCE CORPORATION" according to a statement issued by the promoters of the company. This company- at the center of which stand a number of well-known Americans,- is for the purpose of giving aid to general farming industry by investing capital in farm lands and farm products, and furnishing financial assistance to Japanese farmers in California. It is a joint stock company with a million dollars capital; shares to be sold at ten dollars each."

WHERE IS THE MONEY TO COME FROM?

The editorial writer, after recounting the financial difficulties which Japanese farmers have always had to contend with, now greatly aggravated by the psychological effect of the Supreme Court's decision on bankers (Japanese and American) and capitalists in the old country and the landlords in California, and stating that to secure advances from these sources is impossible, tells us that the Japanese in California have at least \$50,000,000 on deposit in

674
1/5/24.

PAGE 7.

GENERAL JAPANESE SITUATION

P O L I T I C A L :

FINANCING JAPANESE FARMERS- Contd.

the banks of Japan, kept there for safe keeping because they have been so often bitten by investments in oil stocks and other ventures that they are afraid to invest in America. He repeats his statement made in a former editorial that the Japanese in this country dug up at least \$2,000,000 for the earthquake relief without feeling it. Hence, there is plenty of Japanese money to finance this new corporation if it can be coaxed from the canny Japanese owners. He concludes with an appeal for cooperation with the new company:

"Those who drew their money from banks and invested in rice, lost their money. Very many others who have invested in Mexican mines and oil stocks, have had the same bitter experience. It is wise not to have anything to do with such risky investments, but if a safe and reliable institution is organized for better interest than will be received from banks, and which is organized for the purpose of aiding Japanese farmers, of course there will be no hesitation in cooperating with it and protecting it. This Development Finance Corporation is a substantial body whose activities have meaning. Consequently, all Japanese are likely to support it. We think it is our moral duty to support it."

- - - - -

67C
1/5/24.

PAGE 8.

GENERAL JAPANESE SITUATION

P O L I T I C A L :

JAPANESE TENANTS AND WHITE LANDLORDS MEET IN
VARIOUS PARTS OF STATE.

Consideration Given, Apparently, To Plans for Evading Force
of Alien Land Law and Supreme Court's Decision.

The Japanese in California, dismayed at first, apparently, at the probable effect upon their future activities in agricultural pursuits, of the U.S. Supreme Court's decision regarding the alien land law, have apparently modified their views to the extent that they think the blow to white landlords from whom they rent or lease, will be sufficiently severe to insure action on the part of those landlords to counteract the effect of the law.

In Nichi Bei (Japanese-American News) San Francisco, Dec. 16th appeared a number of items of interest in this connection. A correspondent from San Bernardino says that American landlords are offering Japanese high wages as laborers, and that the Japanese "are following rich leads which promise better pay than before."

A correspondent at Sacramento reports that white landlords in the neighborhood of Florin are becoming anxious because of the drop in land rents and the decision of the Japanese to go to work as laborers.

The Weekly Times of Central California, published at Fresno, in its issue of Dec. 9th declares that the effect of the recent Supreme Court decision is more severe upon the white owners of land than on the Japanese, and that the result will be a movement

b7c
1/5/24.

PAGE 9.

GENERAL JAPANESE SITUATION

P O L I T I C A L:

on the part of these landlords to counteract the law. Reference is made to action in this direction already started by land owners in Placer County and to a similar movement by land owning companies near Stockton.

Meetings between Japanese, their attorneys and white landlords are apparently being held in various portions of the State. Reference is made in the Japanese newspapers to such meetings at Fresno, Stockton, San Jose, Vacaville, Florin, Watsonville and elsewhere. At these meetings, the senior partner of the firm of Elliott and Calden, for some years past general counsellors for the Japanese Association of America, is announced to speak and to advise with the Japanese farmers and their landlords.

At such a meeting held in Fresno Dec. 21st, Mr. Elliott offered for consideration a form of contract under which the Japanese, in addition to wages as laborers, would receive a bonus based upon the net profits instead of upon the gross profits, as heretofore, declaring that such a contract was within the law. The District Attorney of Fresno County, however, declared that this form of contract was so plainly an attempt to evade the intent and purpose of the law, that he would prosecute any parties to such a contract which occurred within his jurisdiction.

In Los Angeles, a conference of various pastors of Japanese churches was held, and another is scheduled to take place in January, at which there will be present secretaries of Japanese associations and certain lawyers "to give information on the land law".

1/5/24.

PAGE 10.

GENERAL JAPANESE SITUATION

P O L I T I C A L :

question and discuss matters in connection therewith."

- - - - -

JAPAN MUST FORCE ABROGATION OF CALIFORNIA LAWS.

Proofs multiply that the Japanese have no intention of complying with the alien land laws of the Pacific Coast States, if they can safely evade those laws, or, failing evasion, if they can, through their home government, force an abrogation thereof.

For instance, the Great Northern ^XDaily News (Japanese) of Seattle, in its issue of Dec. 6th, refers to the Tokyo telegram declaring that public organizations and newspapers of Japan are admonishing the government to adopt measures for offsetting the effect of the U.S. Supreme Court decision in regard to the alien land laws. The editorial states "There are not wanting suitable and effective ways of offsetting the decision. We, ourselves, have a plan, but we will leave its divulgence until another day".

The editor of Shin ^XSekai (Japanese New ^XWorld) San Francisco, has an editorial in his issue of Dec. 8th which is headed "The Repeated Attacks on the Government for the Supreme Court Decision, A Proper Thing".

The editorial suggests that it is proper for the Japanese here to respect the laws, as interpreted by the courts, but that it becomes the duty of the Japanese Government "to resort to measures adequate to cause the states of California and Washington to abrogate such laws."

- - - - -

b7C
1/19/24.

PAGE 2.

GENERAL JAPANESE SITUATION

P O L I T I C A L :

SOIL CONTROL TAKEN FROM INELIGIBLES

No landowner can make any contract with a Japanese or Hindoo which will give the aliens any right or interest in the product of the soil of California.

This view of the effect of the recent decision rendered by the United States Supreme Court, as enunciated by Attorney General U. S. Webb Jan. 12th, was accepted unanimously by forty-nine district attorneys of the State present at a meeting held Jan. 12th in the State building to decide upon a uniform course to be taken to enforce the act passed by the electors in 1920.

Reasonable time is to be given under contracts that have been entered into for the harvesting of the crops now in the ground. Within the next few months many of the lesser crops will be harvested. By the end of the coming summer the death knell of further participation by ineligible aliens in the products of this State will have been sounded.

Never has there been such a gathering of the district attorneys of the state, according to City General Webb as appeared at his invitation Jan. 12th to discuss this subject. Out of the 58 counties 49 were represented.

The conference consisted of both a morning and afternoon session and throughout the whole of it General Webb constantly reiterated his statement made in his opening remarks:

b7c 1/19/24.

PAGE 3.

GENERAL JAPANESE SITUATION

P O L I T I C A L:

SOIL CONTROL TAKEN FROM INELIGIBLES- Contd.

"There is no prohibition to employing and paying Japanese or Hindoos.

But no owner may place them in control of land, lease or sell it to them. He may not place them in a position that in any way gives them an interest in the production of the soil.

||| If they will not work for wages then they cannot work on the farms in this State at all.

Thousands of acres of land in this State are affected. While in some counties there are no Japanese in others the question is one of the most important that has confronted the farmers possibly in their entire careers."

MANY CONTRACTS

In the Imperial Valley cotton, green vegetables, melons and crops of such a character are largely grown under contract with Japanese and Hindoos. The San Joaquin and Sacramento Valleys, rice beets and many other crops are grown under the same contract provisions. In Placer county orchards and other crops rely upon Japanese and in the delta lands of the Sacramento and San Joaquin potatoes and green vegetables are grown almost solely by the Japanese.

The ability of the Japanese to produce crops, his willingness to work long hours and the fact that his entire family assists him in his work has taken such a hold on the land owners that it was stated by the district attorneys Jan. 12th it is going to make the

b7c
1/19/24.

PAGE 4.

GENERAL JAPANESE SITUATION

P O L I T I C A L:

readjustment to meet the conditions under the Supreme Court ruling a most severe one in many places.

Unless the Japanese can share in the produce he is not willing to work the hours he usually puts in. Nor is he willing to use his entire family in the labor. Even the offering of a bonus for producing crops Attorney General Webb believes is inconsistent with the ruling that has been handed down by the supreme court.

Alien Land Law

EVASIONS CONSIDERED.

X The subject of attempt at evasions of the law was one considered at some length by various attorneys called upon to speak on this subject. The fact that attorneys had been employed by devise contracts through which it is believed that the most objectionable features of the law could be circumvented were cited.

Corporations are being formed in which 49 per cent of the stock is held by Japanese and is one of the methods, it was stated devised by Albert H. Elliot, attorney for the Japanese, which he states is district attorney proof. Another is to employ caretakers or superintendents at salaries of such size as will secure the labor of the Japanese family.

One attorney said that he had been asked by a farmer whether he would have the right to allow a Japanese to pasture his cows on a crop of alfalfa. Another was asked whether he would have the right to pay Hindoos \$50 an acre to raise a crop of cotton for him. This is from \$10 to \$15 an acre more than owners have been able

67C
1/19/24.

PAGE 6.

GENERAL JAPANESE SITUATION

P O L I T I C A L :

KOREANS DEMAND MASSACRE INQUIRY.

The annual convention of the Korea National Association representing 5000 Koreans from the Hawaiian Islands, on Jan. 14th at Honolulu adopted a resolution demanding an "open investigation" of the massacre of Koreans by Japanese during the great earthquake in Japan last September. The resolution asks that the investigation be made by a commission composed of Americans, Japanese and Koreans. Delegates declared they had received information that 4000 Koreans were slain by Japanese.

- - - - -

Translations from Japanese language papers follow:

COURSE OF THE JAPANESE QUESTION FOR THE PAST TEN YEARS

PREPARATION FOR THE NEXT TEN YEARS.

Ever since the decision of the Supreme Court on the alien land laws of California and Washington large numbers of resentful, indignant letters have been coming to this paper. These letters are all written by Japanese residents of California and adjacent states. They are serious and sober in content and we are in entire sympathy with them. But whether it is wise to publish them, making them known to natives and foreigners, is another question. There is a section of the anti-Japanists, in particular, whose attitude we cannot understand, who in the past have intentionally twisted and exaggerated such statements, and even published false interpretations of their main features greatly to the injury of the Japanese and disaffecting the

GENERAL JAPANESE SITUATIONP O L I T I C A L:

Californians in general towards the Japanese. This being so it seems wise to treat all such communications with the utmost caution in view of the general situation.

(2)

At the same time there is a fundamental question which we Japanese must give calm and serious consideration, viz; the question why the Japanese have come to receive such treatment in America. The anti-alien ^Xland law was first enacted by the Legislature of California in 1913. At that time the anti-Japanese tendency had its center in San Francisco and prevailed to a considerable extent among farmers in Northern California, but was exceedingly rare in Southern California. It was also rare in Oregon, of course, and in the State of Washington. And even in Northern California it was by no means general. A number of influential landowners in the Delta region combined in opposition to the prohibition of leases resulting, as every one knows, in a compromise on the three year term. The San Francisco Real Estate ^KAssociation adopted opposition resolutions and sent them to the State Legislature.

(3)

But ten years later, in 1923, the anti-Japanese influence which was formerly very weak is by no means weak now. Oregon and Washington both have adopted anti-Japanese land laws similar to those in California. Neighboring Western States have also adopted similar laws. Why has the anti-Japanese influence become so wide-spread and

1/19/24.

PAGE, 8.

GENERAL JAPANESE SITUATION

POLITICAL:

intensive in the last ten years? This is a very serious question which we resident Japanese have got to face and consider with the utmost sincerity. It is a question which involves our prosperity or decay, a life and death question.

(4)

We must imagine to what extent this question which has attained such proportions in the last ten years may spread and intensify in the next ten years. At the next session of the Central Legislature anti-Japanese measures severer than ever may be considered. Therefore, before matters come to such a pass, we think we should reflect upon the course of the last ten years and adopt some positive, thoroughgoing policy.

(5)

Of course there is no comparison between the Japanese actual strength in 1913 and their actual strength in 1923. During the latter half of the European war, when food was a determining factor in defeat or victory the price of agricultural products soared sky high, and the Japanese whose main business is farming acquired actual strength many times greater than they had before the war. And when actual strength is increasing, whether it be in California, or Washington or elsewhere, it attracts the notice of those in the vicinity. Financial questions arise, then political questions and social questions, and then sentimental questions give rise to the fearful problem of race.

67C
1/19/24.

PAGE 9.

GENERAL JAPANESE SITUATION

P O L I T I C A L :

(6)

Furthermore, when actual strength reaches a point where it can not be overcome it is possible to make suitable compromises. Take the case of the Jews. Since they have acquired actual strength which cannot be overthrown they have been compromised with. The same thing has happened in connection with the anti-Italian question, the anti-Irish question and the anti-German question. But in the case of the Japanese matters have not yet reached that point. It may be that the reason for the intensity of the anti-Japanese movement is the idea that the Japanese are going to become gradually stronger and that if repression is undertaken now they can be repressed.

(7)

It is a regrettable fact that the anti-Japanese movement in the last ten years has been carried on systematically and on a large scale. Of course there were anti-Japanese movements fifteen years ago and even twenty years ago, but the large and systematic movement which has been carried on for the past ten years is something which we really cannot understand. Its propaganda for the most part has ignored the facts, consisting of exaggerations and imaginings about the Japanese loudly proclaimed as facts. If these propagandists were moved by patriotism they ought not to be hoodwinking the public by all sorts of lies. Moreover, this must have involved very large expenses. Where all this money has been coming from is another thing which we cannot understand.

GENERAL JAPANESE SITUATIONP O L I T I C A L:

(8)

Again, it is proper for us Japanese today to reflect calmly upon our attitude to this (anti-Japanese movement.) We had no strength to fight. Our opponents had the power to vote, political power and the power to make laws. They had great organizations, were backed by abundant capital and had large numbers of orators to canvass the whole State, and upwards of five hundred periodicals in the State. To meet all this we set up resistance, thinking we could win in such a hopeless fight. Of course such spirit is commendable. The will which refuses to yield willingly to unjust oppression is praiseworthy, but we have to consider how much our opponents were stimulated by our opposition.

(9)

By the decision of the Supreme Court on the ineligibility of the Japanese to American citizenship the whole American People have come to understand that fact for the first time. Of course some of them knew it before but the people as a whole did not know it until now. From that decision naturally followed the sentence that discriminatory treatment is lawful and proper. On the assumption that the increase of actual power on the part of persons ineligible to citizenship weakens the power of the State and is a menace to the public peace, the rights and privileges of the Japanese have been stripped from them one after another.

67c
1/19/24.

PAGE 11.

GENERAL JAPANESE SITUATION

P O L I T I C A L :

(10)

The Chinese have been continuously ostracised for fifty years and are not weakened yet. They have gone right on accumulating properously under the severest oppression. Owing to the fact that they have been assiduously laying their financial foundations they are to-day in a position where the wind is veering in their favor. Generally speaking they have no duties to perform and on the other hand they are not insisting upon rights. By doing nothing, by adapting themselves, they have built their foundations. The attitude of the Chinese is at least something to sharpen our wits.

- - - - -
C O N T I N U E D.

THIS CASE ORIGINATED AT

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: San Francisco, Cal.	DATE WHEN MADE: Feb. 23rd	PERIOD FOR WHICH MADE: Week ending Feb. 23, 1924	REPORT MADE BY: [REDACTED] b7c
TITLE AND CHARACTER OF CASE: GENERAL JAPANESE SITUATION		SAN FRANCISCO DISTRICT.	
FACTS DEVELOPED: AT SAN FRANCISCO, CALIF.		ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8.21.85 BY SP4 [REDACTED] list of 65-302 --ATTENTION MR. HOOVER-2--	
<p><u>POLITICAL:</u></p> <p><u>JAPAN REPORTS PROGRESS ON NAVY SHIP SCRAPPING.</u></p> <p>Today is the specified date for the completion of the first stage of scrapping of naval vessels in accordance with the Washington arms conference treaty, and the occasion evoked from the navy department a statement declaring that Japan has completed the initial operations required to render the doomed ships "incapable of further warlike service".</p> <p><i>Supreme Court not mentioned on this page.</i></p> <p>The ships slated for destruction are the Hizen, Mikasa, Kashima, Katori, Satzuma, Aki, Settsu, Ikoma, Ibuki and Kurama. The Asahi and Shikishima are to be diverted to non-combatant purposes.</p> <p>Operations on the Tosa and the Amagi have been partially completed and the two vessels will be dismantled during the present year.</p> <p><u>JAPAN AND RUSSIA BREAK OVER VLADIVOSTOK CONSUL.</u></p> <p>As a result of the withdrawal of recognition by the Russian Government of the Japanese Consul at Vladivostok, direct mail service between</p>			
REFERENCE: EA		DO NOT WRITE IN THESE SPACES FILE NO. 65-302-129 BUREAU OF INVESTIGATION FEB 28 1924 DEPARTMENT OF JUSTICE ROUTED TO: HOOVER FILE [REDACTED]	
COPIES OF THIS REPORT FURNISHED TO: WASHINGTON 3; FILE 1; LOS ANGELES 1; PORTLAND 1; SEATTLE 1; MID-SF 1; MID-HONOLULU 1.			

GOVERNMENT PRINTING OFFICE

7-1160

GENERAL JAPANESE SITUATION.POLITICAL:

against "dangerous thoughts" as it is termed in official circles.

NEW CONSUL TO LOS ANGELES.

Japan is sending a new vice consul to Los Angeles. He is S. Kawanami, who arrived at San Francisco yesterday on the T.K. Korea Maru. Kawanami has held an important post in China for several years.

A REVIEW OF THE PAST YEAR OF AMERICAN-JAPANESE RELATIONS.

By E.K. Kawakami, Washington Correspondent, Osaka Mainichi and Tokyo Nichi-Nichi, Author, "The Real Japanese Question", "Japan's Pacific Policy", etc.

From the point of view of American-Japanese relations the year 1923 has been a memorable one. Leaving minor events out of consideration, the two outstanding ones, exercising conflicting influence upon those relations, are the outpouring of American sympathy for the earthquake sufferers of Japan, and the decisions of the Supreme Court, upholding the California and Washington land laws denying the Japanese farmers, now lawfully there, the privilege of cultivating farms except as day laborers.

When Mr. Hanihara was leaving Japan last March as Ambassador to Washington the Japanese press was more or less enlivened with rumors and comments, surmising that the new Ambassador would undertake to secure a revision of the "gentlemen's agreement" so as to safeguard Japanese rights in America, particularly on the Pacific Coast.

It was evidently a popular desire to see Mr. Hanihara undertake this difficult and delicate task. When America called the historic conference at Washington some of Japan's leading publicists strongly

GENERAL JAPANESE SITUATION.POLITICAL:

urged that the question of the treatment of the Japanese in America, as well as the immigration question, should be submitted to the consideration of the conference. These publicists have been critical towards the Japanese delegation who failed to present those problems at the conference. Upon Mr. Hanihara's appointment as Ambassador to America the discussion was significantly revived.

Then came the great earthquake, bringing in its train all the imaginable human miseries and sufferings. With characteristic promptness and generosity the American government and people went to the rescue of the stricken nation. It was as if the hearts of a hundred million Americans went forth in sympathy to meet the grieving souls of Nippon. Such disinterested sacrifices, such magnanimous spirit, such whole-hearted response to the call of humanity was certain to exercise lasting and profound influence upon the friendship between Japan and America. Had it not been for an unfortunate, though perhaps inevitable event which developed shortly afterward, Japan's gratitude to the American generosity would have remained an abiding factor in the relationship of the two nations.

That untoward event was the decisions of the Supreme Court of the United States upholding the discriminatory land laws of the Pacific Coast States. Due to the vastness of the country, those decisions have elicited but little attention on the part of the American press and public east of the Rockies. Indeed they have been so indifferent that they have hardly grasped the nature and meaning of those decisions.

GENERAL JAPANESE SITUATION.POLITICAL:

Many are evidently under the impression that the Japanese farmers, in appealing to the Supreme Court, contended for ownership of land. Nothing is further from the truth. What they wanted was the right to cultivate land under lease, however short in term. If the right of lease could not be granted, they wanted to work farms under an agreement whereby their labor would be compensated with a portion of the crop. In other words they asked only for the common privilege to exist, not as serfs, but as self-respecting independent farmers, even though they were denied land ownership.

It is perhaps fortunate that these decisions were announced just after Japan had expressed heartfelt gratitude for the magnificent generosity shown by the American people for the earth-quake-stricken nation. Had they been delivered at an ordinary time, say before the earthquake, they would have created a furore across the Pacific. Coming as they have at this time, they will probably do no greater harm than the partial undoing of the good accomplished by the American succor of the earthquake sufferers.

If Japan were in a position to take reciprocal or retaliatory action in the matter of land ownership and leasing, that might appease the grievance of the Japanese though it would not solve the question. The trouble is that Japan has no undeveloped cheap land attractive to American farmers. As a matter of fact there is only a small acreage owned or leased by Americans in Japan. The latest available figures show 656 acres, including 164. The latest available figures show

GENERAL JAPANESE SITUATION.POLITICAL:

656 acres, including 164 acres of farm lands, owned by corporations organized exclusively by foreigners in Japan; 195 acres owned by foreign individuals, including 20 Americans; 430 acres held under "perpetual lease" by 356 foreigners, including 55 Americans; 547 acres held in the form of superficies by 335 foreigners of whom 100 are Americans.

From these figures it is apparent that even if Japan enacted a law denying Americans the rights of lease, "lease in perpetuity", and superficies, that would hardly affect American interest, and would, therefore, fail to accomplish the purpose of reciprocity or retaliation. Moreover, a policy of recrimination and retaliation as between nations is liable to lead to a dangerous situation, and should by all means be avoided. It is far better and wiser to follow a policy which is mutually tolerant and reciprocally liberal. After all it is the spirit of tolerance and accommodation which ensures peace among nations, as among individuals.

The existing Japanese laws do not permit foreign individuals to own land, but foreign juridical persons enjoy this right. Foreigners, whether individuals or juridical persons, may lease land of any description for fifty years. They may also hold superficies, the right to use the surface of land, for unlimited periods. In addition they enjoy the extraordinary privilege of perpetual lease, which was exacted by advanced foreign governments from the inexperienced Japanese authorities when the country was opened to international intercourse. What is more extraordinary the foreigners pay no tax on the improve-

67C 2/23/24.

Page 8.

GENERAL JAPANESE SITUATION.

POLITICAL:

ments made upon the "perpetually leased" lands and worth millions of dollars.

To estimate the effect of the Supreme Court decisions upon the Japanese on the Pacific Coast we must invoke statistics. The State of Washington has a land area of 42,775,040 acres, of which 6,573,546 acres, exclusive of federal domain, are farm land. The state has 17,000 Japanese of whom some 2,000 are farmers. Farm lands cultivated by these Japanese farmers under lease amount to 20,500 acres. No land has ever been owned by Japanese there, because the state had always denied land ownership to aliens.

Oregon has a land area of 31,188,260 acres. Here Japanese farmers 224 in number, cultivate some 10,000 acres in all.

The crux of the problem is in California. The population of California is 3,423,526, of which 2 per cent is Japanese. Its land area is 99,617,280 acres, of which 28,000,000 is farm land. Of this farm land about 1.6 per cent or some 458,000 acres is cultivated by Japanese. Acreage cultivated by them may be classified as follows:

1. Owned by Japanese individuals	26,988
2. Owned by American corporations with Japanese shareholders	47,781
3. Cultivated by Japanese under lease	192,150
4. Cultivated under crop-share contract	191,000
5. Cultivated under labor contract	70,137

Since 1913 the land law of California has prohibited land ownership by aliens ineligible to citizenship. In 1920 the state adopted an initiative law by which ineligible aliens are prohibited from owning stock in land-holding American corporations, and from cultivating

2/25/24.

Page 9.

GENERAL JAPANESE SITUATION.

POLITICAL:

land under lease or crop-share contract. The only avenue left open to such aliens in the field of farming is labor contract. In other words, California would reduce them to a status of servility, but would not have them as independent, self-respecting farmers. The Washington law of March, 1921, is practically the same, for it was patterned after the California law.

It may be safely stated that no discriminatory law, however rigid, will prove entirely successful in suppressing the just, legitimate, and natural aspirations of a virile, ambitious, efficient race. On the other hand, such laws are always successful in instilling a consciousness of unfair treatment and persecution in the hearts of those against whom they are directed. It is futile to think that the Japanese now lawfully in California or Washington can be persecuted out of the land by inequitable laws. No proud race can be defeated so easily. The wisdom of such discriminatory laws is, therefore, open to question. A wise and far-seeing administrator and statesman would undoubtedly deal justly and fairly with the Japanese who have been lawfully admitted into this country, and thus foster in their hearts and minds the sense of gratitude and appreciation, which is a surer way of securing the national unity of America than a policy of discrimination and persecution. If America is disposed to take this sane and far-seeing view, the question of Japanese immigration will be more easily adjusted. In other words, the Japanese government and people will be more willing to listen to American plea for further restriction of Japanese immigration if only

GENERAL JAPANESE SITUATION.POLITICAL:

America deals with the Japanese lawfully here in the spirit of fairness and square deal.

The prevalent American view, differentiating aliens eligible to citizenship from ineligible aliens, and maintaining the freedom on the part of the American authorities, federal, state or municipal, of adopting any and every measure against ineligible aliens, is fraught with danger. It cannot fail to create and intensify friction between America and the countries whose nationals are arbitrarily branded as ineligible. To limit American citizenship to natives of Europe and of the African jungles and of certain parts of Asia Minor, seems neither logical nor wise. An Asiatic people, Oriental only geographically, but Occidental in almost every other respect, should not be arbitrarily discriminated against as ineligible aliens, especially since that people has, through brilliant achievements in the arts of peace and of war, proven itself the equal of most of the advanced nations of the West. No two nations can remain permanently neighborly, making faces at each other and calling each other names. The present American-Japanese situation calls for the courage of the late Colonel Roosevelt, who recommended in his message to Congress, the naturalization of the Japanese. It is well that the American publicists and statesmen should ponder over these ringing words of the Colonel:

"We must treat with justice and good-will all immigrants who come here under the law. Whether they are Catholic or Protestant, Jew or Gentile; whether they come from England or Germany, Russia, Japan

GENERAL JAPANESE SITUATION.

POLITICAL:

or Italy, matters nothing. All we have a right to question is the man's conduct. If he is honest and upright in his dealings with his neighbor and with the state, then he is entitled to respect and good treatment. Especially do we need to remember our duty to the stranger within our gates. It is the sure mark of a low civilization, a low morality, to abuse or discriminate against or in any way humiliate such stranger who has come here lawfully and who is conducting himself properly. To remember this is incumbent on every American citizen, and it is of course peculiarly incumbent on every government official whether of the nation or of the several states".

"Our nation fronts on the Pacific, just as it fronts on the Atlantic. We hope to play a constantly growing part in the great ocean of the Orient. We wish, as we ought to wish, for a great commercial development in our dealings with Asia; and it is out of the question that we should permanently have such development unless we freely and gladly extend to other nations the same measure of justice and good treatment which we expect to receive in return. It is only a small body of our citizens that act badly. Where the Federal Government has power it will deal summarily with any such. Where the several states have power I earnestly ask that they also deal wisely and promptly with such conduct or else this small body of wrong-doers may bring shame upon the great mass of their innocent and right-thinking fellows - that is, upon our nation as a whole. Good manners should be an international, no less than an individual attribute. I ask fair treatment for the Japanese as I would ask fair treatment for Germans or Englishmen, Frenchmen,

67c
2/23/24.

Page 12.

GENERAL JAPANESE SITUATION.

POLITICAL:

Russians or Italians. I ask it as due to humanity and civilization. I ask it due to ourselves because we must act uprightly toward all men. I recommend to the Congress that an act be passed specifically providing for the naturalization of Japanese who come here intending to become American citizens.

A really good nation must often act, and as a matter of fact often does act toward other nations in a spirit not in the least of mere self-interest, but paying heed chiefly to ethical reasons; and as the centuries go by this disinterestedness in international action, this tendency of the individuals comprising a nation to require that nation to act with justice towards its neighbors, steadily grows and strengthens. It is neither wise nor right for a nation to disregard its own needs, and it is foolish - and may be wicked - to think that other nations will disregard theirs. But it is wicked for a nation only to regard its own interest, and foolish to believe that such is the sole motive that actuates any other nation. It should be our steady aim to raise the ethical standard of national action just as we strive to raise the ethical standard of individual action."

C O N T I N U E D

THIS CASE ORIGINATED AT

JOURNAL TO BE MADE AT ORIGINATING OFFICE ONLY

REPORT MADE AT: San Francisco, Cal.	DATE WHEN MADE: Mar. 15th	PERIOD FOR WHICH MADE: Week ending Mar. 15, 1924.	REPORT MADE BY: [REDACTED] b7c
TITLE AND CHARACTER OF CASE: GENERAL JAPANESE SITUATION ----- SAN FRANCISCO DISTRICT			
FACTS DEVELOPED: AT SAN FRANCISCO, CALIF.			
<p style="text-align: center;">ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE <u>10/19/88</u> BY <u>SP7 mac/Hic</u> 65-302-132 - ATTENTION MR. HOOVER - 2 - 207.548</p>			
POLITICAL:			
<u>JAP GROUP TO STUDY SHIPBUILDING IN U.S.</u>			
<p>Admiral H. Takeda, Tokio, will head a delegation of Japanese shipbuilders who will arrive in San Francisco March 30th on the Tenyo Maru.</p> <p style="text-align: center;"><i>Supreme Court not mentioned on this page.</i></p> <p>Takeda is the chairman of the board of directors of the Mitsubishi Shipbuilding Company, reputed to be the largest shipbuilding concern in Japan. He and his companions will investigate American shipbuilding conditions.</p>			
<u>JAPANESE EDITOR TO SPEAK IN SAN FRANCISCO.</u>			
<p>Yasutaro Sugita, editor of Kokimin, one of the largest daily newspapers of Tokyo, was in San Francisco March 10th, having with him the signatures of hundreds of Japanese boys and girls of Tokyo and Yokohama to a letter thanking the children of the Pacific Coast for toys sent at Christmas time to the Japanese children in the area devastated by the Japanese earthquake.</p>			
REFERENCE: AP.		<div style="border: 1px solid black; padding: 5px;"> <p>FILE NO. 65-302-132</p> <p>BUREAU OF INVESTIGATION</p> <p>MAR 20 1924</p> <p>DEPARTMENT OF JUSTICE</p> <p>ROUTED TO: HOOVER</p> </div> <p style="text-align: right;">MAR 25 1924</p>	
COPIES OF THIS REPORT FURNISHED TO: WASHINGTON 3; FILE 1; LOS ANGELES 1; PORTLAND 1; SEA MID-S.F. 1; MID-HONOLULU 1;			

67C
3/15/24

Page -5-

GENERAL JAPANESE SITUATION.

POLITICAL:

The following "Editorial" appeared in the San Francisco "Chronicle" March 9, 1924:

ALIEN LAND ACT DECISION HITS CALIFORNIA FARMERS

DECISION CAUSES CONFUSION.

Following the shock of last November, when the Supreme Court rendered its decision on the alien land law, more or less confusion and uncertainty has impeded the efforts of the land owners, large and small, who have been dealing with Japanese tenants. Practically none realized the decision in advance. It was presumed that although they would not be able to negotiate flat rental leases, the land owners would still be able to capitalize the co-operative industry of their tenants by means of crop contracts.

ATTORNEYS DECIDE LAND CANNOT BE FARMED BY JAPANESE

TENANTS WITHOUT VIOLATING LAW.

J. V. Mendenhall, president of the Holland Land Company, the California Delta Farms, Inc., and the California Approved Land Association, spent six weeks with four attorneys going over the law and decisions. At the end of that time he came to the conclusion that there is absolutely no way in which land in California can be farmed by Japanese tenants without violating the law.

FRUITMEN HIT BY DECISION.

Fruit Growers are hit and have their individual problems, which are somewhat similar to the big owners of crop lands. Approximately 300,000 acres of Sacramento and San Joaquin river delta land,

67✓
3/15/24

Page -6-

GENERAL JAPANESE SITUATION.

POLITICAL:

most of which has been devoted to intensive cultivation, are directly affected by the ruling. Much of this is in large holdings, which had been leased in small units to Japanese tenants for flat acreage rentals or for shares of the crop. The tenant undertook all responsibility for labor and production of crops, operating with what is called "share boys," whom he boarded and remunerated at the end of the season with an agreed portion of the crop returns. Frequently in the last few years these tenants have not made money. Then came the sweeping decision of the Supreme Court abolishing this system, with the immediate result that the land owner was without tenants or means with which to crop the land. In the neighborhood of 70,000 acres are embraced in the tracts of the Holland Land Company and the California Delta Farms, Inc., headed by Mendenhall, in neither of which does the company itself do any farming. They are purely developing companies, which prepare the land for intensive cultivation and pass on the risk and profits to individual owners or to tenants of unsold portions.

FINANCES IS BIG PROBLEM.

The big problem brought about by the revolutionizing decision is not a labor problem, according to Mendenhall, but one of financing. Labor can always be had for a price, whether it be Japanese, Chinese, South Sea Islanders or Hindus - it doesn't make so much difference. But a white tenant must pay these laborers as the work is done each week, and he can never be sure whether the men are to be on the job the next day or not. In addition, he get only a short, desultory day's work in

XXXXXX
XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

1 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☒ Deleted under exemption(s) b7C, D with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

_____ Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

_____ Page(s) withheld for the following reason(s):

☐ For your information: _____

☒ The following number is to be used for reference regarding these pages:

Cross Ref # 159 (80-98-25-152)

XXXXXX
XXXXXX
XXXXXX
 XXXXXXXXXXXXXXXXXXXX
 X DELETED PAGE(S) X
 X NO DUPLICATION FEE X
 X FOR THIS PAGE X
 XXXXXXXXXXXXXXXXXXXX

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION

FOIPA DELETED PAGE INFORMATION SHEET

_____ Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☐ Deleted under exemption(s) _____ with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

_____ Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

1 Page(s) withheld for the following reason(s):
This document is the same information
as Cross Ref # 159

☐ For your information: _____

☒ The following number is to be used for reference regarding these pages:
Cross Ref # 160 (80-98-49-19)

XXXXXX
XXXXXX
XXXXXX
 XXXXXXXXXXXXXXXXXXXX
 X DELETED PAGE(S) X
 X NO DUPLICATION FEE X
 X FOR THIS PAGE X
 XXXXXXXXXXXXXXXXXXXX

XXXXXX
XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET1

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.



Deleted under exemption(s) b1, b2, b7C, D with no segregable material available for release to you.



Information pertained only to a third party with no reference to you or the subject of your request.



Information pertained only to a third party. Your name is listed in the title only.



Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

Page(s) withheld for the following reason(s):



For your information: _____



The following number is to be used for reference regarding these pages:

Cross Ref # 161 (94-50868-69)

XXXXXX
XXXXXX
XXXXXX
 XXXXXXXXXXXXXXXXXXXX
 X DELETED PAGE(S) X
 X NO DUPLICATION FEE X
 X FOR THIS PAGE X
 XXXXXXXXXXXXXXXXXXXX

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: January 24, 1949

FROM : SAC, Philadelphia

SUBJECT: THE GERMAN AMERICAN
INTERNAL SECURITY-C
REFER FIVE IS

56532

Enclosed you will find the translation in rough draft form of the December 21, 1948 issue of THE GERMAN AMERICAN, New York. Four photostatic items of lists of names and English articles are attached to the rough draft translation.

The attention of the Bureau is called to the article by HANNS EISLER on page four of the newspaper (page twenty-six of the rough draft) and to the article by GERHART EISLER on page four of the newspaper (page twenty-nine of the rough draft).

ENCLOSURE

Encl. (2)

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 10/19/88 BY SP-6/MLC

287,548

1100-279704-142

INDEXED - 50

INDEXED - 42

23 JAN 26 1949

RECEIVED
INTELLIGENCE DESK

b7c

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/19/88 BY SP7MAC/hi
587.548

TRANSLATION FROM THE GERMAN

THE GERMAN AMERICAN

VOL. VII, NO. 16

December 21, 1948

New York City, New York

TABLE OF CONTENTS

	Page
PUMPKIN SCANDAL AS STAGE FOR NEW THREAT TO CIVIL RIGHTS	1
NO EQUALIZATION OF BURDENS IN BIZONIA	1
G.I. MAKES 11 MILLIONS IN PROFIT IN TWO MONTHS	1
FRENCH OCCUPATION AUTHORITIES DESTROY BERLIN BROADCASTING STATION	1
Advertisement for ANNUAL CONCERT OF WORKMEN'S SINGERS' OF NEW YORK	1
GREETINGS TO OUR READERS FOR 1949	2
WAR OF AGGRESSION FINANCED BY MARSHALL PLAN	2
"SHMOOS" OVER BERLIN	2
ADVISOR FRANCO	2
WRONG ANSWER	2
ATOMIC TECHNOLOGY NOT AN AMERICAN MONOPOLY	2
→ The SUPREME COURT AND THE INTERNATIONAL TRIBUNAL PRESENTATION BY THE <u>FOREIGN FILM CLUB</u>	2 3

(Page 2)

(Columns 4 & 5)

THE ~~SUPREME~~ COURT
AND THE ~~INTERNATIONAL~~ TRIBUNAL

The "GERMAN AMERICAN" has already dealt ~~with~~ in its previous issue with the question of the appeal of the Japanese war criminals to the American Supreme Court. Meanwhile this court has decided with a vote of 5 to 4 to hear these appeals and then decide whether this court was competent in these cases or not.

This was a decision of great importance even if the final decision regarding the competence has not yet been handed down. The President of the Supreme Court, Justice ROBERT H. ~~JACKSON~~, who, by means of his vote in the affirmative, finally removed the prevailing equality of votes, stressed in his statement that foreign countries would lose all confidence in the ability of the President of the United States to negotiate internationally if the Supreme Court were to declare itself competent in such cases. This is a noteworthy viewpoint and Justice JACKSON ~~xx~~ himself seems to be of the opinion that our Supreme Court cannot decide on decisions which were handed down by an international tribunal.

But much more important is the fact that four judges in our Supreme Court ~~▲~~ represented the opinion before the world public that there was a higher court than ~~▲~~ an international tribunal and that this court possibly was the American Supreme Court. This

is a symptom that not only our administration and ~~the~~ legislation are obsessed with a madness for world domination but that apparently members of the administration of justice, and these even in the highest positions, are of the opinion that the United States has authority over ~~the~~ all other States on the earth. This shows how far our country already has sunk in its endeavors for world domination.

On the other hand, this decision of the Supreme Court, however, probably has opened the eyes ~~of~~ abroad of many admirers of American "democracy" in the 1948 style regarding the true goals of our present government, and it is quite certain that ~~the~~ all States, the representatives of which sat in the international tribunal in Tokio as judges, received this decision as an unheard of presumption.

As we hear as the newspaper went to print, the Supreme Court has decided ~~with a~~ six to one vote that it ~~does not lie in the~~ jurisdiction of ~~this court~~ ~~to~~ go over the International Tribunal and accept the case of the Japanese war criminals.

Judge ~~FRANK~~ MURPHY ~~did~~ not agree with the majority of the judges.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Belmont

DATE: November 26, 1963

FROM : A. Rosen

SUBJECT: UNKNOWN SUBJECT; THREAT
ON 11/26/63 THAT HAND
GRENADES WOULD BE USED IN
NEXT SESSION OF SUPREME COURT
BOMBING MATTERS - U.S. SUPREME COURT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/19/88 BY SP7 mac/ef
287,548

b7C The New York Office advised that an officer in the Communications Division of the New York City Police Department at 5:15 A.M. 11/26/63 received a call from [REDACTED] relating [REDACTED] had received an anonymous call to the effect there was a "right-wing" plot afoot to use hand grenades in the next session of the Supreme Court. The caller said the FBI should not be contacted because they are infiltrated." It is noted the next Supreme Court session is 12/2/63.

Washington Field Office is alerting the U. S. Marshall Capitol Police, Metropolitan Police and military intelligence.

ACTION:

New York is maintaining close liaison with the New York Police Department for any further developments and the Civil Rights Division of the Department is being alerted.

(10)

- 1 - Mr. Mohr
- 1 - Mr. DeLoach
- 1 - Mr. Evans
- 1 - Mr. Sullivan

REC-39

157-2-53-719
10 DEC 2 1963

Note: Info furnished to [REDACTED] of U.S. Supreme Court. 11/26/63

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

FBI WASH DC*

FBI CLEVELAND

412PM URGENT 11-18-68 CAN

TO DIRECTOR, ATLANTA, CHICAGO, MILWAUKEE, NEW YORK AND

WASHINGTON FIELD OFFICE

FROM CLEVELAND (174-NEW) 3P

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/19/88 BY SP1/mad

POSSIBLE BOMBING OF U.S. SUPREME COURT BUILDING,
WASHINGTON, D.C., NOVEMBER EIGHTEEN, SIXTYEIGHT, BOMBING MATTER.

RE MILWAUKEE TELETYPE TO BUREAU AND CLEVELAND PHONE CALLS
TO BUREAU, INSTANT DATE.

REC-10

END 12 DEC 6 1968

The best ^{copies} copy obtainable
is included in the reproduction
of this microfiche/film
included that are blurred,
light, or otherwise difficult
to read is the result of the
condition of the document
provided. No better copy
can be reproduced.

Best Copy Available

SUPREME COURT OF THE UNITED STATES.

NO. 97. OCTOBER TERM, 1932.

Jack Gehardt and Louise Wolfe Gehardt,
Petitioners,
vs.
The United States of America.

On Writ of Certiorari
to the United States
Circuit Court of Ap-
peals for the Seventh
Circuit.

[November 7, 1932.]

Mr. Justice Brandeis delivered the opinion of the Court.

This case is here on certiorari, 240 U. S. 539, to review a judgment of conviction for conspiracy to violate the Mann Act (36 Stat. 825, 18 U. S. C., § 397 *et seq.*) Petitioners, a man and a woman, not then husband and wife, were indicted in the District Court for Northern Illinois, for conspiring together, and with others not named, to transport the woman from one state to another for the purpose of engaging in sexual intercourse with the man. At the trial without a jury there was evidence from which the court could have found that the petitioners had engaged in illicit sexual relations in the course of each of the journeys alleged, that the man purchased the railway tickets for both petitioners for at least one journey, and that in each instance the woman, in advance of the purchase of the tickets, consented to go on the journey and did go on it voluntarily for the specified immoral purpose. There was no evidence supporting the allegation that any other person had conspired. The trial court overruled motions for a finding for the defendants, and in arrest of judgment, and gave judgment of conviction, which the Court of Appeals for the Seventh Circuit affirmed, 87 F. (2d) 817, on the authority of United States v. Hale, 303 U. S. 304.

The only question which we find worthy here to discuss, is whether the evidence presented is sufficient to sustain the conviction. We think it is. The evidence is sufficient to sustain the conviction. We think it is.

81-27137

___ Direc
___ Mr. H.
___ Mr. T.
___ Mr. T.
___ Mr. C.
___ Mr. E.

___ Mr.
___ Mr.
___ Mr.
___ Mr.
___ Mr.
___ Mr.

___ Mr.
___ Typ
___ Sec
___ M.
___ Cor

Best COPY Available

Reproduced from the United States

Section 2 of the Mann Act, 18 U. S. C. 2386, provides that any person who transports or attempts to transport any woman or girl in interstate or foreign commerce, or in any Territory or in the District of Columbia, for the purpose of prostitution or debauchery, or for any other immoral purpose, shall be fined not more than \$10,000, or imprisoned not more than ten years, or both, at the discretion of the court.

The transportation of a woman or girl across a State boundary without her consent, or with her consent if it is obtained by means of the spreading of rumors, or the use of force, or the use of a false passport which is issued with a false meaning of the law, is prohibited by 18 U. S. C. 2386.

The Act does not punish a woman for the carrying of a child, it contemplates the transportation of a woman or girl to be transported. For the woman to be transported, the statute she must, at the time of and on account of her transportation, or the procuring transportation of herself, be such and and was, or be must, as in the case of a woman, 18 U. S. C. 2386.

Any person who, knowing, transports or causes to be transported or aids or abets in obtaining transportation for, or is transporting, in interstate or foreign commerce, or in any Territory or in the District of Columbia, any woman or girl for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent and purpose to induce, entice, or compel such woman or girl to become a prostitute or to give herself up to debauchery, or to engage in any other immoral practice, or who shall knowingly procure or obtain, or cause to be procured or obtained, or aid or assist in procuring or obtaining, any ticket or ticket, or any form of transportation or evidence of the right thereof, to be used by any woman or girl in interstate or foreign commerce, or in any Territory or in the District of Columbia, in going to any place for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent or purpose on the part of such person to induce, entice, or compel her to give herself up to the practice of prostitution, or to give herself up to debauchery, or any other immoral practice, knowing that such woman or girl shall be transported in interstate or foreign commerce, or in any Territory or in the District of Columbia, shall be deemed guilty of a crime, and upon conviction thereof shall be fined not more than \$10,000, or imprisoned not more than ten years, or both, at the discretion of the court, or by the court with fine and imprisonment, in the discretion of the court.

SUPP

M
T
m
S
w
C
n
t
t
p
t
r
m
e
p
t
p
d
g
w
t
h
f
t
m
C
v
H
w
t
s
a

Best Copy Available

Records of the United States

of the conspirators may be free to do alone. The capacity of one to commit the substantive offense does not necessarily imply that he may with impunity conspire with others who are able to commit it. For it is the collective planning of criminal conduct at which the statute aims. The plan in itself a wrong which may be done to effect its object, the state has elected to treat as criminal. *Clune v United States*, 159 F. 2d 590, 595. And one may plan that others shall do what he cannot do himself. See *United States v Rahmaw*, 224 F. 2d 74, 86, 87.

But in this case we are concerned with something more than an agreement between two persons for one of them to commit an offense which the other cannot commit. There is the added element that the offense planned, the criminal object of the conspiracy, involves the agreement of the woman to her transportation by the man, which is the very conspiracy charged.

Congress acted in the Mann Act to deal with cases which frequently, if not normally, involve consent and agreement on the part of the woman to the forbidden transportation. In every case in which she is not intimidated or forced into the transportation, the statute necessarily contemplates her acquiescence. Yet this acquiescence, though an incident of a type of transportation speci-

The requirement of the statute that the object of the conspiracy be an offense against the United States, necessarily excludes *United States v Rahmaw*, 7 Circuit 27, avoids the question which formed at common law the issue stated in *Wright, The Law of Criminal Conspiracy* (Quinn ed. 1907) and in *Hayes, Criminal Conspiracy*, 24 Harv. L. Rev. 398 of the criminality of combining to do an act which any one may lawfully do alone.

It has been held repeatedly that one not a bankrupt may be held guilty under § 37 of conspiring that a bankrupt shall convey property from his trustee (Bankruptcy Act § 33(b), 11 U. S. C., § 32). *Tupak v United States*, 220 Fed. 445, affirmed dated 220 U. S. 627; *John v United States*, 220 Fed. 522, affirmed dated 220 U. S. 624; *Reed v United States*, 2 F. 2d 124; *Reagan v United States*, 7 F. 2d 124, affirmed dated 220 U. S. 624. And see *United States v Holloman*, 220 U. S. 74, 84, 87. These cases preclude the claim that *United States v Holloman*, supra, 220 U. S. 74, 84, 87, is an exception to the general rule. Though we do not believe that the statute is intended to apply to cases such as *United States v Holloman*, 220 U. S. 74, 84, 87, we do not believe that it is intended to apply to cases such as *United States v Holloman*, 220 U. S. 74, 84, 87. *United States v Holloman*, 220 U. S. 74, 84, 87, is an exception to the general rule. Though we do not believe that the statute is intended to apply to cases such as *United States v Holloman*, 220 U. S. 74, 84, 87, we do not believe that it is intended to apply to cases such as *United States v Holloman*, 220 U. S. 74, 84, 87.

the substantive offense. *United States v. United States*, 120 F.2d 224. We pass it rather upon the ground that we get to the bottom of the Mann Act by reading it. It is not a conspiracy to transport, but a conspiracy to transport with intent to induce immoral conduct. It is an affirmative requisite, and it is not a mere negative. (We think it a necessary implication of that policy that when the Mann Act and the conspiracy statute come to be construed together, as they necessarily would in the same participation which the former contemplates as an inseparable incident of all cases in which the woman is a voluntary agent at all, but does not punish, was not automatically to be made punishable under the latter.) It would contravene that policy to hold that the very passage of the Mann Act effected a withdrawal by the conspiracy statute of that immunity which the Mann Act itself conferred.

It is not to be supposed that the consent of an unmarried person to adultery with a married person, where the latter alone is guilty of the substantive offense, would render the former an abettor or a conspirator. Compare *In Re Cooper*, 161 Cal. 81, 85, or that the acquiescence of a woman under the age of consent would make her a conspirator with the man to commit statutory rape upon herself. Compare *Queen v. Tyrrell*, 1891, 1 Q. B. 119. The principle determinative of this case, is the same.

On the evidence before us the woman petitioner has not violated the Mann Act and, we hold, is not guilty of a conspiracy to do so. As there is no proof that the man conspired with anyone else to bring about the transportation, the convictions of both petitioners must be

Reversed

Mr. Justice Cannon concurs in the result

A true copy.

Test:

Clerk, Supreme Court, U. S.

Best Copy Available

JOHN EDGAR HOOVER
DIRECTOR

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

EAT:MC

December 29, 1937.

Time: 9:00 A.M.

MEMORANDUM FOR THE DIRECTOR

RE: WETA INVESTIGATION AT MIAMI

While talking to Mr. Shivers at Miami, he advised from the telephone taps already installed, fairly good information is being received. He stated the houses are quite elated over the Supreme Court decision on wire tapping, and therefore will not be as cautious as formerly. He said it has been ascertained from the taps that several of the girls have gone home for Christmas and business has been slack.

Respectfully,

E. A. TAMM.

Best Copy Available

RECORDED
&
INDEXED

31-45615-41	
RECEIVED BY INVESTIGATION	
JAN 5 1938 A. M.	
U. S. DEPARTMENT OF JUSTICE	
SEARCHED	FILE

RECORDED BY FILED IN

62-12114-1335

LOOSENING THE TRUST LAW'S BARS

There is encouragement in the decision of the United States Supreme Court, with but one dissenting voice, that the bituminous coal industry may within certain limitations organize for common relief from the adverse pressure of economic conditions that have borne heavily upon the industry for years. Overruling a decision of a lower court that the Appalachian Coal Company, a selling agency for some 100 bituminous coal producers in West Virginia, Kentucky, Tennessee and Virginia, was operating in violation of the Sherman antitrust law, the Supreme Court declared to the contrary, and gave the company permission to continue its operations upon the lines it has so far followed, retaining jurisdiction of the cause, however, in order to review the proceedings if it should take steps that would be within the prohibitions of the act.

Chief Justice Hughes, who wrote the decision, recognized the difficulties that confront the industry and the valid reasons for combination of effort to get it on a sounder basis. He clearly discerned the possibilities that it might promote interstate commerce, the opening of mines and increased employment, while it would not prevent proper competition. This decision is highly important because of its application to the distressed coal industry, but still more important because it may affect a number of other basic industries, all for example, that have long labored under difficulties which the Sherman antitrust law has prevented them from surmounting. Because of the impediment which it presents to co-operation and organization within such an industry, not only in the interests of the industry but in the interests of the public, there has been an increasing demand in the last few years for a revision and modification of the law so as to bring it into accord with present conditions. Ex-Speaker Harter has a number of these suggestions. While the Supreme Court does not accomplish all that is desired, or all that is required, in this decision, it does leave the field open of leading to a considerable extent. There is still much to be done, but the decision should help to bring some of the difficulties of many important industries.

GLOBE DEMOCRAT
431 St. Louis, Mo.
March 15, 1933

NOT A BOOKING

60-1553-A-7

~ 7